

*Pritchard v. Apyx Medical Corp., et al.*  
c/o Strategic Claims Services  
P.O. Box 230  
600 N. Jackson St., Suite 205  
Media, PA 19063  
Toll Free Number: (866) 274-4004  
Settlement Website: [www.ApyxSecuritiesSettlement.com](http://www.ApyxSecuritiesSettlement.com)  
Email: [info@strategicclaims.net](mailto:info@strategicclaims.net)

## **PROOF OF CLAIM AND RELEASE FORM**

To be eligible to receive a share of the Net Settlement Fund in connection with the Settlement of this Action, you must be a Settlement Class Member and complete and sign this Proof of Claim and Release Form (“Claim Form”) and mail it by first-class mail to the above address, or submit it through the settlement website listed above, **so that it is postmarked or submitted no later than December 16, 2020.**

Failure to submit your Claim Form by the date specified will subject your claim to rejection and may preclude you from being eligible to recover any money in connection with the Settlement.

**Do not mail or deliver your Claim Form to the Court, the settling parties or their counsel. Submit your Claim Form only to the Claims Administrator at the address set forth above.**

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**PART I – CLAIMANT INFORMATION**

(Please read General Instructions below before completing this page.)

The Claims Administrator will use this information for all communications regarding this Claim Form. If this information changes, you **MUST** notify the Claims Administrator in writing at the address above.

Beneficial Owner's Name

Co-Beneficial Owner's Name

Entity Name (if Beneficial Owner is not an individual)

Representative or Custodian Name (if different from Beneficial Owner(s) listed above)

Address1 (street name and number)

Address2 (apartment, unit or box number)

City

State

Zip Code

Foreign Country (only if not USA)

Last four digits of Social Security Number or Taxpayer Identification Number

Telephone Number (home)

Telephone Number (work)

Email address (E-mail address is not required, but if you provide it, you authorize the Claims Administrator to use it in providing you with information relevant to this claim.):

Account Number (account(s) through which the securities were traded)<sup>14</sup>:

Claimant Account Type (check appropriate box):

- Individual (includes joint owner accounts)
- Corporation
- IRA/401K

Pension Plan

Trust

Estate

Other \_\_\_\_\_ (please specify)

<sup>14</sup> If the account number is unknown, you may leave blank. If the same legal entity traded through more than one account you may write "multiple." Please see paragraph 11 of the General Instructions for more information on when to file separate Claim Forms for multiple accounts, *i.e.*, when you are filing on behalf of distinct legal entities.

## **PART II – GENERAL INSTRUCTIONS**

1. It is important that you completely read and understand the Notice of (I) Pendency of Class Action, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses (the "Settlement Notice") that accompanies this Claim Form, including the Plan of Allocation of the Net Settlement Fund set forth in the Settlement Notice. The Settlement Notice describes the proposed Settlement, how Settlement Class Members are affected by the Settlement, and the manner in which the Net Settlement Fund will be distributed if the Settlement and Plan of Allocation are approved by the Court. The Settlement Notice also contains the definitions of many of the defined terms (which are indicated by initial capital letters) used in this Claim Form. By signing and submitting this Claim Form, you will be certifying that you have read and that you understand the Settlement Notice, including the terms of the releases described therein and provided for herein.

2. This Claim Form is directed to all persons or entities that, during the period from December 21, 2018, through April 1, 2019, inclusive (the "Settlement Class Period"), purchased or otherwise acquired common stock of Apyx Medical Corporation ("Apyx Common Stock"), call options on Apyx Common Stock ("Apyx Call Options"), and/or sold put options on Apyx Common Stock ("Apyx Put Options") (together, the "Settlement Class"). Apyx Common Stock, Apyx Call Options, and Apyx Put Options are referred to collectively as "Apyx Securities." All persons and entities that are members of the Settlement Class are referred to as "Settlement Class Members."

3. Excluded from the Settlement Class by definition are: (a) persons who suffered no compensable losses; and (b) Defendants; members of the Immediate Family of the Individual Defendant; the Officers and/or directors of Apyx; any person, firm, trust, corporation, Officer, director or other individual or entity in which any Defendant has a controlling interest or which is related to or affiliated with any of the Defendants; and the legal representatives, agents, affiliates, heirs, successors-in-interest or assigns of any such excluded party. Also excluded from the Settlement Class are any persons and entities who or which exclude themselves by submitting a timely, valid request for exclusion that is accepted by the Court.

4. If you are not a Settlement Class Member do not submit a Claim Form. **YOU MAY NOT, DIRECTLY OR INDIRECTLY, PARTICIPATE IN THE SETTLEMENT IF YOU ARE NOT A SETTLEMENT CLASS MEMBER. THUS, IF YOU ARE EXCLUDED FROM THE SETTLEMENT CLASS (AS SET FORTH IN PARAGRAPH 3 ABOVE), ANY CLAIM FORM THAT YOU SUBMIT, OR THAT MAY BE SUBMITTED ON YOUR BEHALF, WILL NOT BE ACCEPTED.**

5. If you are a Settlement Class Member, you will be bound by the terms of any judgments or orders entered in the Action **WHETHER OR NOT YOU SUBMIT A CLAIM FORM**, unless you submit a request for exclusion from the Settlement Class. Thus, if you are a Settlement Class Member, the Judgment will release, and enjoin the filing or continued prosecution of, the Released Plaintiffs' Claims against the Defendants' Releasees.

6. You are eligible to participate in the distribution of the Net Settlement Fund only if you are a member of the Settlement Class and if you complete and return this form as specified below. If you fail to submit a timely, properly addressed, and completed Claim Form with the required documentation, your claim may be rejected and you may be precluded from receiving any distribution from the Net Settlement Fund.

7. Submission of this Claim Form does not guarantee that you will share in the proceeds of the Settlement. The distribution of the Net Settlement Fund will be governed by the Plan of Allocation set forth in the Settlement Notice, if it is approved by the Court, or by such other plan of allocation approved by the Court.

8. Use the Schedules of Transactions in Parts III–V of this Claim Form to supply all required details of your transaction(s) (including free transfers) in and holdings of the applicable Apyx Securities. On the Schedules of Transactions, please provide all of the requested information with respect to your holdings, purchases, acquisitions and sales of the applicable Apyx Securities, whether such transactions resulted in a profit or a loss. Failure to report all transaction and holding information during the requested time periods may result in the rejection of your claim.

9. Please note: Only Apyx Common Stock and Apyx Call Options purchased/acquired, and Apyx Put Options sold, during the Settlement Class Period (i.e., from December 21, 2018, through April 1, 2019, inclusive) are eligible under the Settlement. However, under the PSLRA "90-day look-back period" (described in the Plan of Allocation set forth in the Settlement Notice), your sales of Apyx Common Stock during the period from April 2, 2019, through and including June 28, 2019, will be used for purposes of calculating your Recognized Loss under the Plan of Allocation. Therefore, in order for the Claims Administrator to be able to process your claim, the requested purchase and sale information during the 90-day look-back period must also be provided.

10. You are required to submit genuine and sufficient documentation for all of your transactions and holdings

of the applicable Apyx Securities set forth in the Schedules of Transactions in Parts III–V of this Claim Form. Documentation may consist of copies of brokerage confirmation slips or monthly brokerage account statements, or an authorized statement from your broker containing the transactional and holding information found in a broker confirmation slip or account statement. The Parties and the Claims Administrator do not independently have information about your investments in Apyx Securities. **IF SUCH DOCUMENTS ARE NOT IN YOUR POSSESSION, PLEASE OBTAIN COPIES OR EQUIVALENT CONTEMPORANEOUS DOCUMENTS FROM YOUR BROKER. FAILURE TO SUPPLY THIS DOCUMENTATION MAY RESULT IN THE REJECTION OF YOUR CLAIM. DO NOT SEND ORIGINAL DOCUMENTS. Please keep a copy of all documents that you send to the Claims Administrator. Also, please do not highlight any portion of the Claim Form or any supporting documents.**

11. Separate Claim Forms should be submitted for each separate legal entity (*e.g.*, a claim from joint owners should not include separate transactions through an account that is in the name of just one of the joint owners, and an individual should not combine his or her IRA transactions with transactions made through an account in the individual's name). Conversely, a single Claim Form should be submitted on behalf of one legal entity including all transactions made by that entity on one Claim Form, no matter how many separate accounts that entity has (*e.g.*, a corporation with multiple brokerage accounts should include all transactions made in all accounts on one Claim Form).

12. All joint beneficial owners must sign this Claim Form. If you purchased or otherwise acquired Apyx Common Stock or Apyx Call Options, or sold Apyx Put Options, during the Settlement Class Period and held the securities in your name, you are the beneficial owner as well as the record owner and you must sign this Claim Form to participate in the Settlement. If, however, you purchased or otherwise acquired Apyx Common Stock or Apyx Call Options, or sold Apyx Put Options, during the Settlement Class Period and the securities were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial owner of these securities, but the third party is the record owner. The beneficial owner, not the record owner, must sign this Claim Form.

13. Agents, executors, administrators, guardians, and trustees must complete and sign the Claim Form on behalf of persons represented by them, and they must:

- (a) expressly state the capacity in which they are acting;
- (b) identify the name, account number, Social Security Number (or taxpayer identification number), address and telephone number of the beneficial owner of (or other person or entity on whose behalf they are acting with respect to) the Apyx Securities; and
- (c) furnish herewith evidence of their authority to bind to the Claim Form the person or entity on whose behalf they are acting. (Authority to complete and sign a Claim Form cannot be established by stockbrokers demonstrating only that they have discretionary authority to trade stock in another person's accounts.)

14. By submitting a signed Claim Form, you will be swearing that you:

- (a) own(ed) the Apyx Securities you have listed in the Claim Form; or
- (b) are expressly authorized to act on behalf of the owner thereof.

15. By submitting a signed Claim Form, you will be swearing to the truth of the statements contained therein and the genuineness of the documents attached thereto, subject to penalties of perjury under the laws of the United States of America. The making of false statements, or the submission of forged or fraudulent documentation, will result in the rejection of your claim and may subject you to civil liability or criminal prosecution.

16. If the Court approves the Settlement, payments to eligible Authorized Claimants pursuant to the Plan of Allocation (or such other plan of allocation as the Court approves) will be made after the completion of all claims processing. This could take substantial time. Please be patient.

17. PLEASE NOTE: As set forth in the Plan of Allocation, each Authorized Claimant shall receive his, her or its pro rata share of the Net Settlement Fund. If the prorated payment to any Authorized Claimant, however, calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to that Authorized Claimant.

18. If you have questions concerning the Claim Form, or need additional copies of the Claim Form or the Settlement Notice, you may contact the Claims Administrator, Strategic Claims Services, by email at [info@strategicclaims.net](mailto:info@strategicclaims.net), or by toll-free phone at (866) 274-4004, or you may download the documents from the Settlement website, [www.ApyxSecuritiesSettlement.com](http://www.ApyxSecuritiesSettlement.com).

19. NOTICE REGARDING ELECTRONIC FILES: Certain Claimants with large numbers of transactions

may request, or may be requested, to submit information regarding their transactions in electronic files. To obtain the mandatory electronic filing requirements and file layout, you may visit the Settlement website at [www.ApyxSecuritiesSettlement.com](http://www.ApyxSecuritiesSettlement.com) or you may email the Claims Administrator's electronic filing department at [efile@strategicclaims.net](mailto:efile@strategicclaims.net). Any file not in accordance with the required electronic filing format will be subject to rejection. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues an email to that effect after processing your file with your claim numbers and respective account information. Do not assume that your file has been received or processed until you receive this email. If you do not receive such an email within 10 days of your submission, you should contact the electronic filing department at [efile@strategicclaims.net](mailto:efile@strategicclaims.net) to inquire about your file and confirm it was received and acceptable.

**IMPORTANT: PLEASE NOTE**

**YOUR CLAIM IS NOT DEEMED FILED UNTIL YOU RECEIVE AN ACKNOWLEDGEMENT POSTCARD. THE CLAIMS ADMINISTRATOR WILL ACKNOWLEDGE RECEIPT OF YOUR CLAIM FORM BY MAIL WITHIN 60 DAYS. IF YOU DO NOT RECEIVE AN ACKNOWLEDGEMENT POSTCARD WITHIN 60 DAYS, PLEASE CALL THE CLAIMS ADMINISTRATOR TOLL FREE AT (866) 274-4004.**

**PART III – SCHEDULE OF TRANSACTIONS IN APYX COMMON STOCK**

Complete this Part III if and only if you purchased/acquired Apyx Common Stock during the period from December 21, 2018 through April 1, 2019, inclusive. Please include proper documentation with your Claim Form as described in detail in Part II – General Instructions, Paragraph 10, above. Do not include information in this section regarding securities other than Apyx Common Stock.

| <b>1. BEGINNING HOLDINGS</b> – State the total number of shares of Apyx Common Stock held as of the opening of trading on December 21, 2018. (Must be documented.) If none, write “zero” or “0.” _____   |  |   |  |
|--|--|---|--|
| <b>2. PURCHASES/ACQUISITIONS DURING THE SETTLEMENT CLASS PERIOD</b> – Separately list each and every purchase/acquisition (including free receipts) of Apyx Common Stock from after the opening of trading on December 21, 2018, through and including the close of trading on April 1, 2019. (Must be documented.)                            |  |   |  |
| Date of Purchase/Acquisition<br>(List Chronologically)<br>(Month/Day/Year)   | Number of Shares<br>Purchased/Acquired | Purchase/Acquisition<br>Price Per Share | Total Purchase/<br>Acquisition Price (excluding<br>taxes, commissions, and fees) |
| / /  |  | \$                                      | \$   |
| / /  |  | \$                                      | \$   |
| / /  |  | \$                                      | \$   |
| / /  |  | \$                                      | \$   |
| <b>3. PURCHASES/ACQUISITIONS DURING THE 90-DAY LOOK-BACK PERIOD</b> – State the total number of shares of Apyx Common Stock purchased/acquired (including free receipts) from after the opening of trading on April 2, 2019, through and including the close of trading on June 28, 2019. If none, write “zero” or “0.” <sup>15</sup><br>_____ |  |   |  |
| <b>4. SALES DURING THE SETTLEMENT CLASS PERIOD AND DURING THE 90-DAY LOOK-BACK PERIOD</b> – Separately list each and every sale/disposition (including free deliveries) of Apyx Common Stock from after the opening of trading on December 21, 2018, through and including the close of trading on June 28, 2019. (Must be documented.)        |  |   | <b>IF NONE, CHECK<br/>HERE</b><br>○  |
| Date of Sale<br>(List Chronologically)<br>(Month/Day/Year)   | Number of Shares Sold                  | Sale Price Per Share                    | Total Sale Price<br>(excluding taxes, commissions,<br>and fees)                  |
| / /  |  | \$                                      | \$   |
| / /  |  | \$                                      | \$   |
| / /  |  | \$                                      | \$   |
| / /  |  | \$                                      | \$   |
| <b>5. ENDING HOLDINGS</b> – State the total number of shares of Apyx Common Stock held as of the close of trading on June 28, 2019. (Must be documented.) If none, write “zero” or “0.” _____  |  |   |  |
| <b>IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS YOU MUST<br/>PHOTOCOPY THIS PAGE AND CHECK THIS BOX</b> <input type="checkbox"/>   |  |   |  |
| <b>IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES WILL <u>NOT</u> BE REVIEWED</b>   |  |   |  |

<sup>15</sup> **Please note:** Information requested with respect to your purchases/acquisitions of Apyx Common Stock from after the opening of trading on April 2, 2019, through and including the close of trading on June 28, 2019, is needed in order to balance your claim; purchases/acquisitions during this period, however, are not eligible under the Settlement and will not be used for purposes of calculating your Recognized Loss pursuant to the Plan of Allocation.

**PART IV– SCHEDULE OF TRANSACTIONS IN APYX CALL OPTIONS**

Complete this Part IV if and only if you purchased/acquired Apyx Call Options during the period from December 21, 2018, through April 1, 2019, inclusive. Please include proper documentation with your Claim Form as described in detail in Part II – General Instructions, Paragraph 10, above. Do not include information in this section regarding securities other than Apyx Call Options.

|   |                                     |
|---|-------------------------------------|
| <b>1. BEGINNING HOLDINGS</b> – Separately list all positions in Apyx Call Option contracts in which you had an open interest as of the opening of trading on December 21, 2018. (Must be documented.) | <b>IF NONE, CHECK<br/>HERE</b><br>○ |
|---|-------------------------------------|

| Strike Price of Call Option Contract | Expiration Date of Call Option Contract (Month/Day/Year) | Option Class Symbol | Number of Call Option Contracts in Which You Had an Open Interest |
|--------------------------------------|--|---------------------|---|
| \$                                   | / /  |                     |   |
| \$                                   | / /  |                     |   |
| \$                                   | / /  |                     |   |
| \$                                   | / /  |                     |   |

|  |
|--|
| <b>2. PURCHASES/ACQUISITIONS DURING THE SETTLEMENT CLASS PERIOD</b> – Separately list each and every purchase/acquisition (including free receipts) of Apyx Call Option contracts from after the opening of trading on December 21, 2018, through and including the close of trading on April 1, 2019. (Must be documented.) |
|--|

| Date of Purchase/Acquisition (List Chronologically) (Month/Day/Year) | Strike Price of Call Option Contract | Expiration Date of Call Option Contract (Month/Day/Year) | Option Class Symbol | Number of Call Option Contracts Purchased /Acquired | Purchase/Acquisition Price Per Call Option Contract | Total Purchase/Acquisition Price (excluding taxes, commissions, and fees) | Insert an “E” if Exercised<br>Insert an “A” if Assigned<br>Insert an “X” if Expired | Exercise/Assign Date (Month/Day/Year) |
|--|--------------------------------------|--|---------------------|---|---|---|---|---------------------------------------|
| / /  | \$                                   | / /  |                     |   | \$  | \$  |   | / /                                   |
| / /  | \$                                   | / /  |                     |   | \$  | \$  |   | / /                                   |
| / /  | \$                                   | / /  |                     |   | \$  | \$  |   | / /                                   |
| / /  | \$                                   | / /  |                     |   | \$  | \$  |   | / /                                   |

|  |                                     |
|--|-------------------------------------|
| <b>3. SALES DURING THE SETTLEMENT CLASS PERIOD</b> – Separately list each and every sale/disposition (including free deliveries) of Apyx Call Options from after the opening of trading on December 21, 2018, through and including the close of trading on April 1, 2019. (Must be documented.) | <b>IF NONE, CHECK<br/>HERE</b><br>○ |
|--|-------------------------------------|

| Date of Sale (List Chronologically) (Month/Day/Year) | Strike Price of Call Option Contract | Expiration Date of Call Option Contract (Month/Day/Year) | Option Class Symbol | Number of Call Option Contracts Sold | Sale Price Per Call Option Contract | Total Sale Price (excluding taxes, commissions, and fees) |
|--|--------------------------------------|--|---------------------|--------------------------------------|-------------------------------------|---|
| / /  | \$                                   | / /  |                     |                                      | \$                                  | \$  |
| / /  | \$                                   | / /  |                     |                                      | \$                                  | \$  |
| / /  | \$                                   | / /  |                     |                                      | \$                                  | \$  |
| / /  | \$                                   | / /  |                     |                                      | \$                                  | \$  |

| <b>4. ENDING HOLDINGS</b> – Separately list all positions in Apyx Call Option contracts in which you had an open interest as of the close of trading on April 1, 2019. (Must be documented.)  |  |                     | <b>IF NONE, CHECK HERE</b><br>○                                   |
|---|--|---------------------|---|
| Strike Price of Call Option Contract  | Expiration Date of Call Option Contract (Month/Day/Year) | Option Class Symbol | Number of Call Option Contracts in Which You Had an Open Interest |
| \$  | / /  |                     |   |
| \$  | / /  |                     |   |
| \$  | / /  |                     |   |
| \$  | / /  |                     |   |
| <b>IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS/HOLDINGS YOU MUST PHOTOCOPY THIS PAGE AND CHECK THIS BOX <input type="checkbox"/></b><br><b>IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES WILL <u>NOT</u> BE REVIEWED</b> |  |                     |   |

**PART V – SCHEDULE OF TRANSACTIONS IN APYX PUT OPTIONS**

Complete this Part V if and only if you sold (wrote) Apyx Put Options during the period from December 21, 2018, through April 1, 2019, inclusive. Please include proper documentation with your Claim Form as described in detail in Part II – General Instructions, Paragraph 10, above. Do not include information in this section regarding securities other than Apyx Put Options.

| <b>1. BEGINNING HOLDINGS</b> – Separately list all positions in Apyx Put Option contracts in which you had an open interest as of the opening of trading on December 21, 2018. (Must be documented.)   |   |   | <b>IF NONE, CHECK HERE</b><br>○                                  |   |                                    |   |   |                                       |
|--|---|---|--|---|------------------------------------|---|---|---------------------------------------|
| Strike Price of Put Option Contract  | Expiration Date of Put Option Contract (Month/Day/Year) | Option Class Symbol                                     | Number of Put Option Contracts in Which You Had an Open Interest |   |                                    |   |   |                                       |
| \$   | / /   |   |  |   |                                    |   |   |                                       |
| \$   | / /   |   |  |   |                                    |   |   |                                       |
| \$   | / /   |   |  |   |                                    |   |   |                                       |
| \$   | / /   |   |  |   |                                    |   |   |                                       |
| <b>2. SALES (WRITING) DURING THE SETTLEMENT CLASS PERIOD</b> – Separately list each and every sale (writing) (including free deliveries) of Apyx Put Option contracts from after the opening of trading on December 21, 2018, through and including the close of trading on April 1, 2019. (Must be documented.) |   |   |  |   |                                    |   |   |                                       |
| Date of Sale (Writing) (List Chronologically) (Month/Day/Year)   | Strike Price of Put Option Contract                     | Expiration Date of Put Option Contract (Month/Day/Year) | Option Class Symbol  | Number of Put Option Contracts Sold (Written) | Sale Price Per Put Option Contract | Total Sale Price (excluding taxes, commissions, and fees) | Insert an “A” if Assigned<br>Insert an “E” if Exercised<br>Insert an “X” if Expired | Exercise/Assign Date (Month/Day/Year) |
| / /  | \$  | / /   |  |   |                                    | \$  |   | / /                                   |
| / /  | \$  | / /   |  |   |                                    | \$  |   | / /                                   |
| / /  | \$  | / /   |  |   |                                    | \$  |   | / /                                   |
| / /  | \$  | / /   |  |   |                                    | \$  |   | / /                                   |

| <b>3. PURCHASES/ACQUISITIONS DURING THE SETTLEMENT CLASS PERIOD –</b><br>Separately list each and every purchase/acquisition (including free receipts) of Apyx Put Option contracts from after the opening of trading on December 21, 2018, through and including the close of trading on April 1, 2019. (Must be documented.) |   |  |  |  |   | <b>IF NONE, CHECK<br/>HERE</b><br>○   |
|--|---|--|--|--|---|---|
| Date of Purchase/<br>Acquisition (List<br>Chronologically)<br>(Month/Day/Year)   | Strike Price<br>of Put<br>Option<br>Contract                  | Expiration Date<br>of Put Option<br>Contract<br>(Month/<br>Day/Year) | Option<br>Class<br>Symbol  | Number of<br>Put Option<br>Contracts<br>Purchased/<br>Acquired | Purchase/<br>Acquisition<br>Price Per Put<br>Option<br>Contract | Total Purchase/<br>Acquisition Price<br>(excluding taxes,<br>commissions, and fees) |
| / /  | \$  | / /  |  |  |   | \$  |
| / /  | \$  | / /  |  |  |   | \$  |
| / /  | \$  | / /  |  |  |   | \$  |
| / /  | \$  | / /  |  |  |   | \$  |
| <b>4. ENDING HOLDINGS –</b> Separately list all positions in Apyx Put Option contracts in which you had an open interest as of the close of trading on April 1, 2019. (Must be documented.)  |   |  |  |  |   | <b>IF NONE, CHECK<br/>HERE</b><br>○   |
| Strike Price of Put Option<br>Contract   | Expiration Date of Put Option<br>Contract<br>(Month/Day/Year) | Option Class Symbol  | Number of Put Option<br>Contracts in Which You<br>Had an Open Interest |  |   |   |
| \$   | / /   |  |  |  |   |   |
| \$   | / /   |  |  |  |   |   |
| \$   | / /   |  |  |  |   |   |
| \$   | / /   |  |  |  |   |   |
| <b>IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS/HOLDINGS YOU MUST<br/>PHOTOCOPY THIS PAGE AND CHECK THIS BOX <input type="checkbox"/></b><br><b>IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES WILL <u>NOT BE REVIEWED</u></b>  |   |  |  |  |   |   |

**PART VI – RELEASE OF CLAIMS AND SIGNATURE**

**YOU MUST ALSO READ THE RELEASE AND CERTIFICATION BELOW AND SIGN ON  
PAGE 10 OF THIS CLAIM FORM.**

I (we) hereby acknowledge that as of the Effective Date of the Settlement, pursuant to the terms set forth in the Stipulation, I (we), on behalf of myself (ourselves) and my (our) heirs, executors, administrators, predecessors, successors, affiliates and assigns, shall be deemed to have, and by operation of law and of the Judgment shall have, fully, finally and forever compromised, settled, released, resolved, relinquished, waived, discharged and dismissed each and every Released Plaintiffs’ Claim (as defined in the Stipulation and in the Settlement Notice) against the Defendants’ Releasees (as defined in the Stipulation and in the Settlement Notice) and shall forever be barred and enjoined from prosecuting any or all of the Released Plaintiffs’ Claims against the Defendants’ Releasees.

**CERTIFICATION**

By signing and submitting this Claim Form, the Claimant(s) or the person(s) who represent(s) the Claimant(s) certifies (certify), as follows:

1. that I (we) have read and understand the contents of the Settlement Notice and this Claim Form, including the releases provided for in the Settlement and the terms of the Plan of Allocation;
2. that the Claimant(s) is a (are) Settlement Class Member(s), as defined in the Settlement Notice and in paragraph 2 on page 3 of this Claim Form, and is (are) not excluded from the Settlement Class by definition or pursuant to request as set forth in the Settlement Notice and in paragraph 3 on page 3 of this Claim Form;

3. that I (we) own(ed) the Apyx Common Stock and Apyx Call Options and had an interest in the Apyx Put Options identified in the Claim Form and have not assigned the claim against the Defendants' Releasees to another, or that, in signing and submitting this Claim Form, I (we) have the authority to act on behalf of the owner(s) thereof;

4. that the Claimant(s) submit(s) to the jurisdiction of the Court with respect to Claimant's (Claimants') claim and for purposes of enforcing the releases set forth herein;

5. that I (we) agree to furnish such additional information with respect to this Claim Form as Lead Counsel, the Claims Administrator or the Court may require;

6. that the Claimant(s) waive(s) the right to trial by jury, to the extent it exists, and agree(s) to the Court's summary disposition of the determination of the validity or amount of the claim made by this Claim Form;

7. that I (we) acknowledge that the Claimant(s) will be bound by and subject to the terms of any judgment(s) that may be entered in the Action; and

8. that the Claimant(s) is (are) NOT subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code because (a) the Claimant(s) is (are) exempt from backup withholding or (b) the Claimant(s) has (have) not been notified by the IRS that he/she/it/they is (are) subject to backup withholding as a result of a failure to report all interest or dividends or (c) the IRS has notified the Claimant(s) that he/she/it/they is (are) no longer subject to backup withholding. **If the IRS has notified the Claimant(s) that he, she, it, or they is (are) subject to backup withholding, please strike out the language in the preceding sentence indicating that the claim is not subject to backup withholding in the certification above.**

UNDER THE PENALTIES OF PERJURY, I (WE) CERTIFY THAT ALL OF THE INFORMATION PROVIDED BY ME (US) ON THIS CLAIM FORM IS TRUE, CORRECT, AND COMPLETE, AND THAT THE DOCUMENTS SUBMITTED HEREWITH ARE TRUE AND CORRECT COPIES OF WHAT THEY PURPORT TO BE.

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Signature of Claimant Date

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Print your name here

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Signature of joint Claimant, if any Date

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Print your name here

***If the Claimant is other than an individual, or is not the person completing this form, the following also must be provided:***

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Signature of person signing on behalf of Claimant Date

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Print your name here

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CAPACITY OF PERSON SIGNING ON BEHALF OF CLAIMANT, IF OTHER THAN AN INDIVIDUAL, *E.G.*, EXECUTOR, PRESIDENT, TRUSTEE, CUSTODIAN, *ETC.* (MUST PROVIDE EVIDENCE OF AUTHORITY TO ACT ON BEHALF OF CLAIMANT – SEE PARAGRAPH 13 ON PAGE 4 OF THIS CLAIM FORM.)

**REMINDER CHECKLIST:**

1. Please sign the above release and certification. If this Claim Form is being made on behalf of joint Claimants, then both must sign.
2. Remember to attach only **copies** of acceptable supporting documentation as these documents will not be returned to you.
3. Please do not highlight any portion of the Claim Form or any supporting documents.
4. Do not send original security certificates or documentation. These items cannot be returned to you by the Claims Administrator.
5. Keep copies of the completed Claim Form and documentation for your own records.
6. The Claims Administrator will acknowledge receipt of your Claim Form by mail within 60 days. Your claim is not deemed filed until you receive an acknowledgement postcard. **If you do not receive an acknowledgement postcard within 60 days, please call the Claims Administrator toll free at (866) 274-4004.**
7. If your address changes in the future, or if this Claim Form was sent to an old or incorrect address, please send the Claims Administrator written notification of your new address. If you change your name, please inform the Claims Administrator.
8. If you have any questions or concerns regarding your claim, please contact the Claims Administrator at the address below, by email at [info@strategicclaims.net](mailto:info@strategicclaims.net), or toll-free at (866) 274-4004, or visit [www.ApyxSecuritiesSettlement.com](http://www.ApyxSecuritiesSettlement.com). Please DO NOT call Apyx or Individual Defendant Charles Goodwin or their counsel with questions regarding your claim.

**THIS CLAIM FORM MUST BE MAILED TO THE CLAIMS ADMINISTRATOR BY FIRST-CLASS MAIL, POSTMARKED NO LATER THAN DECEMBER 16, 2020, ADDRESSED AS FOLLOWS:**

*Pritchard v. Apyx Medical Corp., et al.*  
c/o Strategic Claims Services  
P.O. Box 230  
600 N. Jackson St., Suite 205  
Media, PA 19063

**OR SUBMITTED ONLINE BY DECEMBER 16, 2020 AT  
WWW.APYXSECURITIESSETTLEMENT.COM.**

A Claim Form received by the Claims Administrator shall be deemed to have been submitted when posted, if a postmark date on or before December 16, 2020 is indicated on the envelope and it is mailed First Class, and addressed in accordance with the above instructions. In all other cases, a Claim Form shall be deemed to have been submitted when actually received by the Claims Administrator.

You should be aware that it will take a significant amount of time to fully process all of the Claim Forms. Please be patient and notify the Claims Administrator of any change of address.

*Pritchard v. Apyx Medical Corp., et al.*  
c/o Strategic Claims Services  
600 N. Jackson St., Suite 205  
Media, PA 19063

**IMPORTANT LEGAL DOCUMENT – PLEASE FORWARD**