

**IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE**

KYLE MARTEL and JOE BRYANT,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
FUSION SPONSOR LLC, JOHN JAMES,	)	C.A. No. 2024-0329-NAC
JEFFREY GARY, JIM ROSS, KELLY	)	
DRISCOLL, BEN BUETTELL, DIWAKAR	)	
CHOUBEY, and BROADHAVEN	)	
CAPITAL PARTNERS, LLC,	)	
	)	
Defendants.	)	

**PROOF OF CLAIM AND RELEASE**

**I. GENERAL INSTRUCTIONS**

1. To maximize your recovery as a member of the Class based on your claims in the action titled *Martel v. Fusion Sponsor LLC*, C.A. No. 2024-0329-NAC (the “Action”) you must complete and, on page 8 hereof, sign this Proof of Claim and Release. If you fail to submit a timely and properly addressed (as set forth in paragraph 3 below) Proof of Claim and Release, your claim will be limited to a base distribution in the amount of \$0.10 per Eligible Share.<sup>1</sup>

2. Submission of this Proof of Claim and Release, however, does not guarantee that you will share in the proceeds of the Settlement of the Action.

3. THE COURT-APPOINTED SETTLEMENT ADMINISTRATOR FOR THIS ACTION MUST RECEIVE YOUR COMPLETED AND SIGNED PROOF OF CLAIM AND RELEASE, ACCOMPANIED BY COPIES OF THE DOCUMENTS REQUESTED HEREIN AT THE FOLLOWING MAILING ADDRESS OR THROUGH THE FOLLOWING WEBSITE:

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<sup>1</sup> Any capitalized terms used in this Proof of Claim and Release that are not otherwise defined in this Notice shall have the meanings given to them in the Stipulation and Agreement of Settlement, Compromise, and Release between Plaintiffs and Defendants, dated April 14, 2025 (the “Stipulation”). A copy of the Stipulation is available at [www.MoneyLionStockholderSettlement.com](http://www.MoneyLionStockholderSettlement.com).

*MoneyLion Stockholder Settlement*

c/o A.B. Data Ltd.

P.O. Box 173115

Milwaukee, WI 53217

Online submissions: [www.MoneyLionStockholderSettlement.com](http://www.MoneyLionStockholderSettlement.com)

**YOUR PROOF OF CLAIM AND RELEASE MUST BE SUBMITTED ONLINE OR RECEIVED BY MAIL NO LATER THAN SEPTEMBER 2, 2025.<sup>2</sup>**

If you are NOT a member of the Class, as defined in the Notice of Pendency and Proposed Settlement of Class Action, Settlement Hearing, and Right to Appear (the “Notice”), DO NOT submit a Proof of Claim and Release.

4. If you are a member of the Class, you will be bound by the terms of any judgment entered in the Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM AND RELEASE FORM.

## **II. CLAIMANT IDENTIFICATION**

If you held Eligible Shares in your name, you are the beneficial holder as well as the record holder. If, however, you held Eligible Shares that were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial holder and the third party is the record holder.

Use Part I of this form entitled “Claimant Identification” to identify each holder of record (“nominee”), if different from the beneficial holder of the Eligible Shares which form the basis of this claim. **THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL HOLDER OR THE LEGAL REPRESENTATIVE OF SUCH HOLDER OF THE SHARES UPON WHICH THIS CLAIM IS BASED.**

All joint holders must sign this claim. Executors, administrators, guardians, conservators and trustees must complete and sign this claim on behalf of persons represented by them and their authority must accompany this claim and their titles or capacities must be stated. The last four digits of the Social Security Number (or full and complete Taxpayer Identification Number) and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

If you are acting in a representative capacity on behalf of a member of the Class (for example, as an executor, administrator, trustee, or other representative), you must submit evidence of your current authority to act on behalf of that Class Member. Such evidence would include, for example, letters testamentary, letters of administration, or a copy of the trust documents.

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<sup>2</sup> Proofs of Claim and Release that are legibly postmarked no later than September 2, 2025, will be treated as received on the postmark date. ***Please be advised that the U.S. Postal Service may not postmark mail which is not presented in person.***

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. All such claimants MUST also submit a manually signed paper Proof of Claim and Release form listing all their transactions whether or not they also submit electronic copies. If you wish to submit your claim electronically, you must contact the Settlement Administrator at [info@MoneyLionStockholderSettlement.com](mailto:info@MoneyLionStockholderSettlement.com) to obtain the required file layout. Any file not in accordance with the required electronic filing format will be subject to rejection. Only one claim should be submitted for each separate legal entity and the complete name of the beneficial holders(s) of the securities must be entered where called for. Distribution payment must be made by check or electronic payment payable to the Authorized Claimant (beneficial account holder). The third-party filer shall not be the payee of any distribution payment check or electronic distribution payment. No electronic files will be considered to have been properly submitted unless the Settlement Administrator issues to the claimant a written acknowledgement of receipt and acceptance of electronically submitted data.

### III. CLAIM FORM

Use Part II of this form entitled “Schedule of Transactions in shares of Fusion Acquisition Corp. (“FAC”) Class A Common Stock or MoneyLion Inc. (“MoneyLion”) Common Stock to supply all required details of your holdings, purchase(s), and sale(s) of FAC Class A Common Stock or MoneyLion Common Stock. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

On the schedules, provide all of the requested information with respect to: (i) *all* of the shares of FAC Class A Common Stock held by you as of the close of the market on September 17, 2021; (ii) *all* of your purchases and sales (including any redemptions by FAC or MoneyLion) of shares of your FAC Class A Common Stock or MoneyLion Common Stock, after the close of the market on September 17, 2021, through the close of the market on March 28, 2024, regardless of whether such transactions resulted in a profit or loss; and (iii) if applicable, *all* of the shares of MoneyLion Common Stock that you held as of the close of the market on March 28, 2024. Failure to report all such transactions may result in the rejection of your claim.

List these transactions separately and in chronological order: (i) by number of shares of FAC Class A Common Stock held at the close of the market on September 17, 2021; (ii) then by purchase and sale date for all shares of FAC Class A Common Stock or MoneyLion Common Stock after the close of the market on September 17, 2021, through the close of the market on March 28, 2024, beginning with the earliest; (iii) then, if applicable, all of the shares of MoneyLion Common Stock that you held as of the close of the market on March 28, 2024. You must accurately provide the month, day, and year of each transaction you list. Do not attempt any calculations purportedly accounting for stock splits or reverse stock splits, i.e., identify the share price and share amount figures as they would appear in your contemporaneous brokerage statements at the time of the relevant occurrences.

Copies of stockbroker confirmation slips, stockbroker statements, or other documents evidencing: (i) your holdings of FAC Class A Common Stock held at the close of the market on September 17, 2021; (ii) your subsequent purchases and sales of FAC Class A Common Stock or

MoneyLion Common Stock through the close of the market on March 28, 2024; and (iii) your holdings of MoneyLion Common stock as of the close of the market on March 28, 2024, should be attached to your claim. If any such documents are not in your possession, please obtain a copy or equivalent documents from your broker because these documents are necessary to prove and process your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

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

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

*Martel v. Fusion Sponsor LLC*, C.A. No. 2024-0329-NAC

PROOF OF CLAIM AND RELEASE

Must Be Received No Later Than:

September 2 2025

Please Type or Print

PART I: CLAIMANT IDENTIFICATION

Beneficial Owner's Name (First, Middle, Last)

Street Address

City

State or Province

Zip Code or Postal Code

Country

Last Four Digits of Social Security Number or  
Taxpayer Identification Number

Individual  
Corporation/Other

Area Code

Telephone Number (work)

Area Code

Telephone Number (home)

Email Address

Record Owner's Name (if different from beneficial owner listed above)

PART II: SCHEDULE OF TRANSACTIONS IN FAC CLASS A COMMON STOCK OR MONEYLION COMMON STOCK

<b>1. NUMBER OF ELIGIBLE SHARES*</b> – State the total number of shares of FAC Class A common stock held as of the close of trading on September 17, 2021. (Must be documented.) If none, write “zero” or “0.” _____				Confirm Proof of Position Enclosed  ○
<b>2. PURCHASES/ACQUISITIONS AFTER CLOSE OF THE MARKET ON SEPTEMBER 17, 2021 THROUGH CLOSE OF THE MARKET ON MARCH 28, 2024</b> – Separately list each and every purchase or acquisition (including free receipts) of FAC Class A common stock or MoneyLion common stock from after the opening of trading on September 18, 2021 through the close of trading on March 28, 2024. (Must be documented.). Do not attempt any calculations purportedly accounting for stock splits or reverse stock splits, i.e., identify the share price and share amount figures as they would appear in your contemporaneous brokerage statements at the time of the relevant occurrences.				
Date of Purchase/ Acquisition (List Chronologically) (Month/Day/Year)	Number of Shares Purchased/Acquired	Purchase/Acquisiti on Price Per Share	Total Purchase/ Acquisition Price (excluding any taxes, commissions, and fees)	Confirm Proof of Purchase Enclosed
/ /		\$	\$	○
/ /		\$	\$	○
/ /		\$	\$	○
<b>3. SALES FROM CLOSE OF THE MARKET ON SEPTEMBER 17, 2021, THROUGH CLOSE OF THE MARKET ON MARCH 28, 2024</b> – Separately list each and every sale or disposition (including free deliveries) of FAC Class A common stock or MoneyLion common stock after the opening of trading on September 18, 2021 through the close of trading on March 28, 2024. (Must be documented.)				<b>IF NONE, CHECK HERE</b>  ○
Date of Sale (List Chronologically) (Month/Day/Year)	Number of Shares Sold	Sale Price Per Share	Total Sale Price (not deducting any taxes, commissions, and fees)	Confirm Proof of Sale Enclosed
/ /		\$	\$	○
/ /		\$	\$	○
/ /		\$	\$	○
<b>4. HOLDINGS AS OF THE CLOSE OF THE MARKET ON MARCH 28, 2024</b> – State the total number of shares of MoneyLion common stock held as of the close of trading on March 28, 2024. (Must be documented.) If none, write “zero” or “0.” ____				Confirm Proof of Position Enclosed  ○
<b>IF YOU REQUIRE ADDITIONAL SPACE FOR THE SCHEDULE ABOVE, ATTACH EXTRA SCHEDULES IN THE SAME FORMAT. PRINT THE BENEFICIAL OWNER’S FULL NAME AND LAST FOUR DIGITS OF SOCIAL SECURITY/TAXPAYER IDENTIFICATION NUMBER ON EACH ADDITIONAL PAGE. IF YOU DO ATTACH EXTRA SCHEDULES, CHECK THIS BOX.</b> <input type="checkbox"/>				

\*“Eligible Shares” means those shares of FAC Common Stock owned by Class Members immediately after the Redemption Deadline that were not submitted for redemption in connection with the Merger.

#### **IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS**

I (We) submit this Proof of Claim and Release under the terms of the Stipulation described in the Notice. I (We) also submit to the jurisdiction of the Court of Chancery of the State of Delaware with respect to my (our) claim as a Class Member and for purposes of enforcing the release set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Action. I (We) agree to furnish additional information to the Settlement Administrator to support this claim if requested to do so. I (We) have not submitted any other claim in connection with the Action and know of no other person having done so on my (our) behalf.

#### **V. RELEASE**

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally and forever settle, release and discharge from the Released Plaintiffs' Claims each and all of the Released Defendant Parties as provided in the Stipulation.

2. This release shall be of no force or effect unless and until the Court approves the Stipulation and the Settlement becomes effective on the Effective Date.

3. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to this release or any other part or portion thereof.

4. I (We) hereby warrant and represent that I (we) have included the requested required information about all of my (our) holdings, purchases or acquisitions and sales or dispositions of Eligible Shares.

[CONTINUED ON NEXT PAGE]

I declare under penalty of perjury under the laws of the State of Delaware the foregoing information supplied by the undersigned is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ in \_\_\_\_\_  
(Month/Year) (City/State/Country)

\_\_\_\_\_  
(Sign your name here)

\_\_\_\_\_  
(Type or print your name here)

\_\_\_\_\_  
(Capacity of person(s) signing, e.g., Beneficial  
Purchaser or Acquirer, Executor or Administrator)

**ACCURATE CLAIMS PROCESSING TAKES A  
SIGNIFICANT AMOUNT OF TIME.  
THANK YOU FOR YOUR PATIENCE.**

Reminder Checklist:

1. Please sign the above release and acknowledgment.
2. Remember to attach copies of supporting documentation.
3. ***Do not send*** originals of certificates or other documentation as they will not be returned.
4. Keep a copy of your Proof of Claim and Release and all supporting documentation for your records.
5. If you desire an acknowledgment of receipt of your Proof of Claim and Release, please send it Certified Mail, Return Receipt Requested.
6. If you move after submitting this Proof of Claim and Release, please notify the Settlement Administrator of the change in your address; otherwise you may not receive additional notices or payment.
7. Do not use red pen or highlighter on the Proof of Claim and Release or supporting documentation. You must use black or blue ink or your claim may be deemed deficient.