

Exhibit A

**Declaration of James Mathew in Support of
(I) Lead Plaintiff's Motion for Final Approval of
Proposed Class Action Settlement, and
(II) Lead Counsel's Motion for Attorneys' Fees,
Litigation Expenses, and Lead Plaintiff's
Reasonable Costs and Expenses**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARK COLWELL, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

EXICURE, INC., DAVID A. GILJOHANN,
BRIAN C. BOCK, and GRANT T. CORBETT,

Defendants.

Case No. 1:21-CV-06637

Honorable John F. Kness

**DECLARATION OF JAMES MATHEW IN SUPPORT OF (I) LEAD PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT,
AND (II) LEAD COUNSEL'S MOTION FOR ATTORNEYS' FEES, LITIGATION
EXPENSES, AND LEAD PLAINTIFF'S REASONABLE COSTS AND EXPENSES**

I, James Mathew, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am the Court-appointed Lead Plaintiff in this action (the “Litigation”).¹

2. I respectfully submit this declaration in support of (i) Lead Plaintiff’s Motion for Final Approval of Proposed Class Action Settlement, and (ii) Lead Counsel’s Motion for Attorneys’ Fees and Expenses, and Lead Plaintiff’s Reasonable Costs and Expenses.

3. I have been involved in overseeing Plaintiff’s Counsel’s prosecution of the Litigation. The matters set forth herein are based on my personal knowledge.

I. MY OVERSIGHT OF THE LITIGATION

4. My background and investments in Exicure, Inc. are discussed in my prior declaration, dated February 11, 2022 (ECF 21-2).

5. On March 20, 2023, the Court appointed me as Lead Plaintiff. (ECF 55.) Since that time, I have directly supervised Plaintiff’s Counsel and remained involved in the prosecution and settlement of the Litigation, including by regularly communicating with Plaintiff’s Counsel concerning the status, progress, and major strategy decisions regarding the Litigation; reviewing major submissions and pleadings as needed; and participating in the decision to settle the Litigation.

II. MY SUPPORT FOR SETTLEMENT APPROVAL

6. I fully support final approval of the proposed Settlement. The Settlement is the product of hard-fought negotiation and careful consideration on behalf of the Settlement Class.

7. Based on my active involvement throughout the Litigation, and my understanding of the strength of the merits, the amount of damages, and numerous risks (including Exicure’s

¹ Capitalized terms not defined herein have the meanings stated in the Stipulation of Settlement (the “Stipulation,” ECF 99).

financial condition), I authorized Plaintiff's Counsel to accept the mediator's proposal that the Litigation settle for a cash payment of \$5,625,000.

8. I believe that the proposed Settlement is fair, reasonable, and adequate to the Settlement Class. I therefore strongly endorse Court approval of the settlement.

III. MY SUPPORT FOR THE FEE AND EXPENSE APPLICATIONS

9. I support Lead Counsel's request for attorneys' fees of 30% of the Settlement Fund, plus interest at the same rate earned by the Settlement Fund.

10. The requested 30% fee percentage is memorialized in my retention agreement. As Lead Plaintiff, in retaining Lead Counsel for this matter, I determined that Lead Counsel was particularly well qualified based on their experience successfully litigating securities class actions on behalf of investors. I retained Lead Counsel on an entirely contingent basis. I further understood that Lead Counsel would devote the resources necessary to fully prepare the Settlement Class's claims for trial, if necessary, including by investing heavily in time and expenses to prosecute the Litigation.

11. In light of the result achieved, the work performed, and the risks faced in the Litigation, I believe that the Fee Application is fair and reasonable.

12. I also support the request for payment to Lead Counsel for litigation expenses incurred in connection with the prosecution of the Litigation (plus interest at the same rate earned by the Settlement Fund). I believe that the litigation expenses for which Lead Counsel seeks reimbursement from the Settlement Fund are reasonable, and represent costs and expenses necessary for the effective prosecution and resolution of this complex action.

IV. MY REASONABLE COSTS AND EXPENSES

13. I understand that the PSLRA authorizes the award of class representatives'

reasonable costs and expenses, including lost wages. *See* 15 U.S.C. § 78u-4(a)(4). Accordingly, I seek an award of my reasonable costs and expenses, in the amount of \$6,000, incurred in connection with my representation of the Settlement Class.

14. I have spent a total of approximately 30 hours on this case, including to review documents and familiarize myself with the litigation process. I believe this work was necessary to effectively satisfy my obligations as Lead Plaintiff and representative of the Settlement Class. Based on a reasonable hourly rate of \$200, I seek an award of \$6,000.

I declare under the penalty of perjury, under the laws of the United States, that the foregoing is true and correct this day of 12/9/2024.

DocuSigned by:

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James Mathew