



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

STEPHEN BUSHANSKY,

Plaintiff,

v.

GIGACQUISITIONS4, LLC, AVI KATZ,
RALUCA DINU, NEIL MIOTTO,
ANDREA BETTI-BERUTTO,
DOROTHY D. HAYES, and BRAD
WEIGHTMAN,

Defendants.

C.A. No. 2023-0685-LWW

MOTION FOR MODIFICATION OF THE PLAN OF ALLOCATION

PLEASE TAKE NOTICE THAT Steven Bushansky (“Plaintiff”), individually and on behalf of the Class, respectfully moves this Court to enter the accompanying proposed Order for Modification of the Plan of Allocation (“Modification”) pursuant to the terms of the Stipulation and Agreement of Settlement, Compromise, and Release (the “Stipulation”), dated July 15, 2024 and submits in support of this Motion: (i) Plaintiff’s Brief in Support of His Motion for Modification of the Plan of Allocation; (ii) the Notice of Pendency of Revised Plan of Allocation of Stockholder Class Action (“Revised Notice”); (iii) the Proof of Claim Form (“Claim Form”); (vi) and the Affidavit of Jack Ewashko in Support of Plaintiffs’ Motion for Modification of the Plan of Allocation, (the “Ewashko Affidavit”).

WHEREAS, on October 8, 2024, the Court approved the Settlement of this Action, which includes a payment of \$2,500,000 to public stockholders of GigCaptial4, Inc. (“Gig4”). Excluded from this payment, however, are stockholders who previously had entered into forward purchase agreements (“FPAs”) with Gig4, and thus did not have any right to redeem their FPA shares prior to Gig4’s de-SPAC merger with BigBear.ai Holdings LLC (“Legacy BigBear”) (the “Merger”).¹

WHEREAS, the Settlement included a Plan of Allocation that contemplated direct payments to Eligible Class Members identified through records maintained by the Depository Trust Corporation (“DTC”). However, after several months of diligent efforts, including serving multiple subpoenas on third parties, Plaintiff’s Counsel and the Settlement Administrator have been unable to specifically identify all Eligible Shares to ensure that the direct distribution protocol contemplated by the Plan of Allocation would not result in the payment of any of the settlement proceeds to ineligible recipients;

WHEREAS, the Notice that was provided to class members in advance of approval of the Settlement specifically provided that the Plan of Allocation set forth in the proposed Settlement could be modified by the Court;

¹ Capitalized terms not otherwise defined herein have the meanings as set forth in the Stipulation and the Notice of Pendency and Proposed Settlement of Stockholder Action, Settlement Hearing, and Right to Appear (“Notice”).

WHEREAS, because the proposed Modification would establish a claims process, the proposed Modification would include providing the Revised Notice and Claim Form to all members of the Class, to inform them that the Plan of Allocation has been changed, and of their requirement to submit a Claim Form if they want to participate in the distribution of the Settlement proceeds.

WHEREAS, Plaintiff requests that the Court:

1. Modify the Plan of Allocation set forth in the Notice to establish a claims process that would require Eligible Class Members to submit a Claim Form in order to be eligible to participate in the Settlement distribution;
 2. Approve dissemination of the Revised Notice and the Claim Form;
- and
3. Retain jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as this Court deems appropriate.

Dated: April 28, 2026

OF COUNSEL:

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/s/ Michael J. Barry

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