

Must be Postmarked  
No Later Than  
June 24, 2013

Oilsands Securities Litigation  
c/o GCG  
P.O. Box 9953  
Dublin, OH 43017-5953  
Toll-Free: 1 (800) 495-5756  
[www.OilsandsSecuritiesLitigation.com](http://www.OilsandsSecuritiesLitigation.com)



## PROOF OF CLAIM AND RELEASE

MUST BE POSTMARKED ON OR BEFORE JUNE 24, 2013.  
PLEASE PRINT OR TYPE.

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**IMPORTANT:** Before Completing This Proof of Claim, Please Carefully  
Read the Enclosed Instruction Sheet.



## PART I - CLAIMANT IDENTIFICATION

### Claimant or Representative Contact Information:

The Claims Administrator will use this information for all communications relevant to this Claim (including the check, if eligible for payment). If this information changes, you **MUST** notify the Claims Administrator in writing at the address above.

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

**Street Address:**



**City:**

**State:**

**Zip or Postal Code:**

**Foreign Province:**

**Foreign Country:**

**Work Telephone Number:**

 (   )  - 

**Home Telephone Number:**

 (   )  - 

**Social Security Number or Taxpayer ID Number:**

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

**Check appropriate box (check only one box):**

Individual/Sole Proprietor

Corporation/Other

Pension Plan

Corporation/Other

Partnership

Trust

IRA

Other (describe: \_\_\_\_\_)

**NOTICE REGARDING ELECTRONIC FILES:** Certain claimants with large numbers of transactions may request to, 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 website at [www.OilsandsSecuritiesLitigation.com](http://www.OilsandsSecuritiesLitigation.com) or you may e-mail the Claims Administrator at [eClaim@gcginc.com](mailto:eClaim@gcginc.com). 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 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 [eClaim@gcginc.com](mailto:eClaim@gcginc.com) to inquire about your file and confirm it was received and acceptable.

**NOTE:** Separate Proofs of Claim should be submitted for each separate legal entity (e.g., a claim from Joint Owners should not include separate transactions of just one of the Joint Owners, an Individual should not combine his or her IRA transactions with transactions made solely in the Individual's name). Conversely, a single Proof of Claim should be submitted on behalf of one legal entity including all transactions made by that entity no matter how many separate accounts that entity has (e.g., a Corporation with multiple brokerage accounts should include all transactions in Oilsands securities) during the Class Period on one Proof of Claim, no matter how many accounts the transactions were made in.



**PART II - SCHEDULE OF TRANSACTIONS IN OILSANDS COMMON AND/OR PREFERRED STOCK**

**Table of Class of Stock - to be used in the Schedule of Transactions**

<b>CS</b>	Common Stock
<b>PS</b>	Preferred Stock

**A. BEGINNING POSITION:** Number of Shares of Oilsands Common and/or Preferred Stock I Held at the Beginning of Trading on **March 20, 2006**  
(must be documented; if none, write "0" or zero):

Number of Shares of Common Stock	<input type="text"/>
Number of Shares of Preferred Stock	<input type="text"/>

**B. PURCHASES:** I Made The Following Purchases of Oilsands Common and/or Preferred Stock from **March 20, 2006** to **January 13, 2011**, Inclusive (must be documented; if none, write "0" or zero):

Class of Stock (Common or Preferred)	Date(s) of Purchase (List Chronologically) (Month/Day/Year)	Number of Shares of Common or Preferred Stock Purchased	Purchase Price Per Share	Total Purchase Price (excluding commissions, transfer taxes or other fees)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**C. Additional Purchases (January 14, 2011 to April 13, 2011)** of Oilsands Common and/or Preferred Shares:\*

<input type="text"/>
----------------------

**D. SALES:** I Made the Following Sales of Oilsands Common and/or Preferred Stock from **March 20, 2006** to **April 13, 2011** Inclusive (must be documented; if none, write "0" or zero):\*

Class of Stock (Common or Preferred)	Date(s) of Sale (List Chronologically) (Month/Day/Year)	Number of Shares of Common or Preferred Stock Sold	Sale Price Per Share	Total Sale Price (excluding commissions, transfer taxes or other fees)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**E. UNSOLD HOLDINGS:** Number of shares of Oilsands Common and Preferred Stock I Held at the Close of Trading on **April 13, 2011**  
(must be documented; if none, write "0" or zero):

<input type="text"/>
----------------------

\* Only purchases during the Class Period are eligible under the terms of the Settlement. Information requested with respect to your transactions from January 14, 2011 through April 13, 2011 is needed in order to balance your claim; sales will be used for purposes of calculating your Recognized Claim pursuant to the Plan of Distribution.

**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS  
PLEASE PHOTOCOPY THIS PAGE AND CHECK THIS BOX   
IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES MAY NOT BE REVIEWED**

PART III - CALL OPTIONS ON OILSANDS COMMON STOCK



**F. BEGINNING POSITION:** At the beginning of trading on **March 20, 2006**, I owned the following Call Options on Oilsands common stock:

Date(s) of Purchase (List Chronologically) (Month/Day/Year)	Number of Contracts	Strike Price	Expiration Date (Month/Year)	Purchase Price Per Contract	Aggregate Cost (net of commissions, taxes, and fees)	Insert an "E" if Exercised or an "X" if Expired	Exercise Date (Month/Day/Year)
/ /		\$ .	/	.	\$ .		/ /
/ /		\$ .	/	.	\$ .		/ /
/ /		\$ .	/	.	\$ .		/ /

**G. PURCHASES:** I made the following purchases of Call Options on Oilsands common stock during the period from **March 20, 2006** to **April 13, 2011**, Inclusive.\*

Date(s) of Purchase (List Chronologically) (Month/Day/Year)	Number of Contracts	Strike Price	Expiration Date (Month/Year)	Purchase Price Per Contract	Aggregate Cost (net of commissions, taxes, and fees)	Insert an "E" if Exercised or an "X" if Expired	Exercise Date (Month/Day/Year)
/ /		\$ .	/	.	\$ .		/ /
/ /		\$ .	/	.	\$ .		/ /
/ /		\$ .	/	.	\$ .		/ /

**H. SALES:** I made the following sales of the above Call Options on Oilsands common stock which Call Options were purchased on or before **April 13, 2011** (include all such sales no matter when they occurred):\*

Date(s) of Sale (List Chronologically) (Month/Day/Year)	Number of Contracts	Strike Price	Expiration Date (Month/Year)	Price Per Contract	Amount Received (net of commissions, taxes, and fees)
/ /		\$ .	/	.	\$ .
/ /		\$ .	/	.	\$ .
/ /		\$ .	/	.	\$ .

\* Only Call Options purchased during the Class Period are eligible under the terms of the Settlement. Information requested with respect to your transactions from January 14, 2011 through April 13, 2011 is needed in order to balance your claim; and sales will be used for purposes of calculating your Recognized Claim pursuant to the Plan of Distribution.

**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS PLEASE PHOTOCOPY THIS PAGE AND CHECK THIS BOX**   
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**PART IV - PUT OPTIONS ON OILSANDS COMMON STOCK**

**I. BEGINNING POSITION:** At the beginning of trading on **March 20, 2006**, I was obligated on the following Put Options on Oilsands common stock:

Date(s) of Purchase (List Chronologically) (Month/Day/Year)	Number of Contracts	Strike Price	Expiration Date (Month/Year)	Purchase Price Per Contract	Aggregate Paid (including commissions, taxes, and fees)	Insert an "E" if Exercised or an "X" if Expired	Exercise Date (Month/Day/Year)
/ /		\$ .	/	\$ .	\$ .	/	/
/ /		\$ .	/	\$ .	\$ .	/	/
/ /		\$ .	/	\$ .	\$ .	/	/

**J. SALES (WRITING) OF PUT OPTIONS:** I wrote (sold) Put Options on Oilsands common stock during the period from **March 20, 2006 to April 13, 2011**, inclusive, as follows.\*

Date(s) of Writing (Sale) (List Chronologically) (Month/Day/Year)	Number of Contracts	Strike Price	Expiration Date (Month/Year)	Sale Price Per Contract	Amount Received (including of commissions, taxes, and fees)	Insert an "A" if Assigned or an "X" if Expired	Assigned Date (Month/Day/Year)
/ /		\$ .	/	\$ .	\$ .	/	/
/ /		\$ .	/	\$ .	\$ .	/	/
/ /		\$ .	/	\$ .	\$ .	/	/

**K. COVERING TRANSACTIONS (REPURCHASES):** I made the following repurchases of the above Put Options on Oilsands common stock that I wrote (sold) on or before **April 13, 2011** (include all such repurchases no matter when they occurred):\*

Date(s) of Purchase (List Chronologically) (Month/Day/Year)	Number of Contracts	Strike Price	Expiration Date (Month/Year)	Price Paid Per Contract	Aggregate Cost (including commissions, taxes, and fees)
/ /		\$ .	/	\$ .	\$ .
/ /		\$ .	/	\$ .	\$ .
/ /		\$ .	/	\$ .	\$ .

\* Only Put Options sold during the Class Period are eligible under the terms of the Settlement. Information requested with respect to your transactions from January 14, 2011 through April 13, 2011 is needed in order to balance your claim; and repurchases will be used for purposes of calculating your Recognized Claim pursuant to the Plan of Distribution.

**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS PLEASE PHOTOCOPY THIS PAGE AND CHECK THIS BOX**   
**IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES MAY NOT BE REVIEWED**

**YOU MUST READ THE RELEASE AND SIGN ON PAGE 7.**



## PART V - SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

I (We) submit this Proof of Claim and Release under the terms of the Revised Stipulation of Settlement described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Southern District of New York, 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 Litigation. I (We) agree to furnish additional information such as transactions in other Oilsands securities to the Claims Administrator (as defined in the Notice) to support this claim if required to do so. Other than any submissions made in the Matter of Oilsands Quest, Inc. et. al, under the Companies' Creditors Arrangement Act, Court of Queens Bench of Alberta Case No. 1101-16110, I (we) have not submitted any other claim covering the same transactions of Oilsands common stock, preferred stock or options during the Class Period and know of no other person having done so on my (our) behalf.

## PART VI - 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 Claims each and all of the Released Persons.
2. "Released Claims" means all claims, whether known or unknown (including, but not limited to, "Unknown Claims"), that were asserted or could have been asserted in this Action by Lead Plaintiffs or members of the Proposed Settlement Class, directly against the Released Persons under federal or state law, including, without limitation, all claims arising out of, or relating to, in whole or in part, (i) the claims or facts and circumstances asserted in this Action, and (ii) the purchase of or sale of Oilsands shares or options during the Settlement Class Period, including, without limitation, any claims by Lead Plaintiffs or members of the Proposed Settlement Class arising out of, or relating to, sales literature, financial statements, press releases, public filings, or other public disclosures made or issued by the Defendants concerning the Company during the Proposed Class Period. Excluded from the "Released Claims" are claims to enforce the Settlement.
3. "Unknown Claims" means any Released Claims which the Lead Plaintiffs or any Proposed Settlement Class Member does not know or suspect to exist in his, her or its favor at the time of the release of the Released Persons which, if known by him, her or it, might have affected his, her or its settlement with and release of the Released Persons, or might have affected his, her or its decision not to object to this Settlement. With respect to any and all Released Claims, the Settling Parties stipulate and agree that, upon the Effective Date, the Lead Plaintiffs shall expressly and each of the Proposed Settlement Class Members shall be deemed to have, and by operation of the Judgment shall have, expressly waived to the fullest extent permitted by law the provisions, rights and benefits of California Civil Code § 1542, which provides:

**A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.**

The Lead Plaintiffs shall expressly and each of the Proposed Settlement Class Members shall be deemed to have, and by operation of the Judgment shall have, expressly waived any and all provisions, rights and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable or equivalent to California Civil Code § 1542. The Lead Plaintiffs and Proposed Settlement Class Members may hereafter discover facts in addition to or different from those which he, she or it now knows or believes to be true with respect to the subject matter of the Released Claims, but the Lead Plaintiffs shall expressly, and each Proposed Settlement Class Member, upon the Effective Date, shall be deemed to have, and by operation of the Judgment shall have, fully, finally, and forever settled and released any and all Released Claims, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct that is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts; provided, however, that if McDaniel (a) fails to execute the Revised Stipulation and such other documents as may be required to obtain final Court approval of the Revised Stipulation; (b) fails to cause its contribution to the Settlement Fund to be deposited with the Escrow Agent; or (c) exercises its option to terminate the Revised Stipulation pursuant to ¶ 7.3 of the Revised Stipulation of Settlement, such release shall not apply to McDaniel. The Lead Plaintiffs acknowledge, and the Proposed Settlement Class Members shall be deemed by operation of the Judgment to have acknowledged, that the foregoing waiver was separately bargained for and a key element of the Settlement of which this release is a part.

4. This Release shall be of no force or effect unless and until the Court approves the Revised Stipulation of Settlement and the Revised Stipulation of Settlement becomes effective on the Effective Date.
5. 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.



6. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in Oilsands common stock, preferred stock or options which occurred at any time between March 20, 2006 and April 13, 2011, as well as the number of shares of Oilsands common stock, preferred stock or options held by me (us) at the opening of trading on March 20, 2006 and at the close of trading on April 13, 2011.

PART VII - CERTIFICATION

By executing this certification, I (we) acknowledge and agree to be bound by the Release set forth above.

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

\_\_\_\_\_  
(State/Province, Country)

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

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

\_\_\_\_\_  
(Joint Owner - Sign your name here)

\_\_\_\_\_  
(Joint Owner - Print your name here)

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

\_\_\_\_\_  
(Signature of Person Completing Form)

\_\_\_\_\_  
(Print Name of Person Completing Form)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Capacity of Person(s) Signing e.g., Executor, President, Trustee, etc.)



**SUBSTITUTE FORM W-9**  
**Request for Taxpayer Identification Number ("TIN") and Certification**

**PART I**

Name:

[Name input field]

Check appropriate box:

- Individual/Sole Proprietor       Pension Plan       Trust       IRA
- Corporation       Partnership       Other

Enter TIN on appropriate line.

For individuals, this is your Social Security Number ("SSN").

For sole proprietors, you must show your individual name, but you may also enter your business or "doing business as" name. You may enter either your SSN or your Employer Identification Number ("EIN").

For other entities, it is your EIN.

[SSN/EIN input fields]

Social Security Number

or

Employer Identification Number  
(for estates, trusts, corps, etc)

**PART II**

For Payees Exempt from Backup Withholding

If you are exempt from backup withholding, enter your correct TIN in Part I and write "exempt" on the following line:

[TIN input field]

**PART III**

**Certification**

UNDER THE PENALTY OF PERJURY, I (WE) CERTIFY THAT:

1. The number shown on this form is my correct TIN; and
2. I (We) certify that I am (we are) NOT subject to backup withholding under the provisions of Section 3406 (a)(1)(C) of the Internal Revenue Code because: (a) I am (we are) exempt from backup withholding; or (b) I (we) have not been notified by the Internal Revenue Service that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends; or (c) the Internal Revenue Service has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the Internal Revenue Service that you are subject to backup withholding, you must cross out Item 2 above. If you require instructions for completing Substitute Form W-9, please make a written request to us at: Oilsands Securities Litigation, c/o GCG, P.O. Box 9953, Dublin, OH 43017-5953. Please note that your accountant should also be able to provide you with these instructions.

The Internal Revenue Service does not require your consent to any provision of this document other than the certification required to avoid backup withholding.



I declare under penalty of perjury under the laws of the United States of America that the foregoing information supplied by the undersigned is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_,  
(Month / Year)

in \_\_\_\_\_,  
(City) (State / Country)

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

\_\_\_\_\_  
(Joint Owner - Sign your name here)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

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

\_\_\_\_\_  
(Joint Owner - Type or print your name here)

\_\_\_\_\_  
(Capacity of person(s) signing, e.g., Beneficial Purchaser, 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 on page 7 and Certification on page 9.
2. Remember to attach supporting documentation, if available.
3. Do not send original stock certificates.
4. Keep a copy of your claim form for your records.
5. If you desire an acknowledgment of receipt of your claim form, please send it Certified Mail, Return Receipt Requested.
6. If you move, please send us your new address.

This Proof of Claim and Release must be postmarked no later than **June 24, 2013**, and must be mailed to:

**Oilsands Securities Litigation  
c/o GCG  
P.O. Box 9953  
Dublin, OH 43017-5953**