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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

Must Be Postmarked or  
Received No Later Than  
July 13, 2015

*Duke Energy Corp. Securities Litigation Settlement*  
Civil Docket No. 3:12-cv-00456-MOC-DSC

**DUKEEC**

**PROOF OF CLAIM AND RELEASE**

Please Type or Print in the Boxes Below  
Do NOT use Red Ink, Pencil, or Staples



**PART I: CLAIMANT IDENTIFICATION**

Last Name (Beneficial Purchaser/Acquirer)

[Grid for Last Name]

M.I.

[Grid for M.I.]

First Name (Beneficial Purchaser/Acquirer)

[Grid for First Name]

Last Name (Co-Beneficial Purchaser/Acquirer)

[Grid for Last Name]

M.I.

[Grid for M.I.]

First Name (Co-Beneficial Purchaser/Acquirer)

[Grid for First Name]

IRA       Joint Tenancy       Employee       Individual       Other \_\_\_\_\_ (specify)

Company Name (Beneficial Purchaser/Acquirer – If Claimant is not an individual) or Custodian Name if IRA

[Grid for Company Name]

Trustee/Asset Manager/Nominee/Record Purchaser Name (If Different from Beneficial Purchaser/Acquirer Listed Above)

[Grid for Trustee Name]

Account#/Fund# (Not Necessary for Individual Filers)

[Grid for Account/Fund#]

Last Four Digits of Social Security Number

[Grid for Social Security Number]

Taxpayer Identification Number

[Grid for Taxpayer ID Number]

or

Telephone Number (Domestic)

[Grid for Domestic Telephone Number]

Telephone Number (International)

[Grid for International Telephone Number]

Email Address

[Grid for Email Address]

**MAILING INFORMATION**

Address

[Grid for Address]

Address

[Grid for Address]

City

[Grid for City]

State

[Grid for State]

Zip Code

[Grid for Zip Code]

Foreign Province

[Grid for Foreign Province]

Foreign Postal Code

[Grid for Foreign Postal Code]

Foreign Country Name/Abbreviation

[Grid for Foreign Country Name]

FOR CLAIMS  
PROCESSING  
ONLY

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FOR CLAIMS  
PROCESSING  
ONLY



PART II. SCHEDULE OF TRANSACTIONS IN DUKE COMMON STOCK

Proof Enclosed?

A. **BEGINNING HOLDINGS:** At the close of trading on June 10, 2012, I owned  shares of Duke common stock. (If none, write 0).  Y  N

B. **PURCHASES/ACQUISITIONS:** I made the following PURCHASES/ACQUISITIONS of Duke common stock from June 11, 2012 to October 5, 2012, inclusive. (Must be documented):

PURCHASES											
Trade Date(s) of Purchase(s)/ Acquisition(s) (List Chronologically)				Number of Shares of Duke Common Stock Purchased/Acquired	Aggregate Cost (excluding commissions, taxes and fees)	Proof of Purchase Enclosed?					
M	M	D	D	Y	Y	Y	Y				
1.	<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="radio"/> Y <input type="radio"/> N
2.	<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="radio"/> Y <input type="radio"/> N
3.	<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="radio"/> Y <input type="radio"/> N
4.	<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="radio"/> Y <input type="radio"/> N
5.	<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="radio"/> Y <input type="radio"/> N

IMPORTANT: (i) If any purchase listed covered a "short sale," please mark Yes:  Yes

(ii) If you received shares through an acquisition or merger, please identify the date, the share amount and the company acquired:

M M D D Y Y Y Y Merger Shares: Company:  
/ /  / / / / / / / / / /

C. **SALES:** I made the following SALES of Duke common stock from June 11, 2012 to October 5, 2012, inclusive. (Must be documented):

SALES											
Trade Date(s) of Sale(s) (List Chronologically)				Number of Shares of Duke Common Stock Sold	Total Proceeds (excluding commissions, taxes and fees)	Proof of Sales Enclosed?					
M	M	D	D	Y	Y	Y	Y				
1.	<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="radio"/> Y <input type="radio"/> N
2.	<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="radio"/> Y <input type="radio"/> N
3.	<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="radio"/> Y <input type="radio"/> N
4.	<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="radio"/> Y <input type="radio"/> N
5.	<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="radio"/> Y <input type="radio"/> N

Proof Enclosed?

D. **UNSOLD HOLDINGS:** At the close of trading on October 5, 2012, I still owned  shares of Duke common stock. (If none, write 0).  Y  N

IF YOU REQUIRE ADDITIONAL SPACE, YOU MAY PHOTOCOPY THIS PAGE, DOWNLOAD ADDITIONAL PAGES AT THE CASE WEBSITE OR CONTACT THE ADMINISTRATOR FOR COPIES. SIGN AND PRINT YOUR NAME ON EACH ADDITIONAL PAGE AND FILL THE CIRCLE.  COPIES OF BROKER'S CONFIRMATIONS AND OTHER DOCUMENTATION EVIDENCING YOUR TRANSACTIONS IN DUKE COMMON STOCK SHOULD BE ATTACHED.

YOU MUST READ THE SECTION ENTITLED "DEFINITIONS AND RELEASE" AND SIGN THE SECTION ENTITLED "REPRESENTATIONS" ON PAGE 6. FAILURE TO SIGN MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.



#### IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGEMENTS

1. I (We) submit this Proof of Claim under the terms of the Stipulation of Settlement described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Western District of North Carolina with respect to my (our) claim as a Settlement Class Member and for purposes of enforcing the release set forth herein and any Judgment which may be entered in the Action. 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.

2. I (We) agree to furnish additional information to the Claims Administrator to support this claim if required to do so.

#### V. DEFINITIONS AND RELEASE

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally and forever settle, discharge and release all "Settled Claims" against all "Released Parties," including "Unknown Claims," as defined below.

(a) "Settled Claims" means any and all claims and causes of action of every nature and description, whether known or Unknown (as defined below), whether arising under federal, state, or common law, that Lead Plaintiffs or any other member of the Settlement Class (a) asserted in the Complaint, or (b) could have asserted in any forum that arise out of or are based upon the allegations, transactions, facts, matters or occurrences, representations, or omissions involved, set forth, or referred to in the Complaint and that relate to any purchase of, acquisition of, or exchange for Duke common stock during the Settlement Class Period. Notwithstanding the foregoing, "Settled Claims" does not include claims asserted in any derivative action or ERISA action based on similar allegations or any claims relating to the enforcement of the Settlement.

(b) "Released Parties" means collectively, the Settling Defendants and the Related Parties (*i.e.*, with respect to each Settling Defendant, its predecessors, successors, past, present or future parents, subsidiaries, affiliates, and each of their respective past or present officers, directors, shareholders, agents, partners, principals, members, employees, attorneys, advisors, auditors and accountants, insurers and reinsurers, and any firm, trust, corporation, or other entity in which any of the Settling Defendants has or had a controlling interest).

(c) "Unknown Claims" means any and all Settled Claims that Lead Plaintiffs and/or any Settlement Class Member does not know or suspect to exist in his, her or its favor as of the Effective Date and any Released Parties' Claims that any Released Party does not know or suspect to exist in his, her or its favor as of the Effective Date, which if known by him, her or it might have affected his, her or its decision(s) with respect to the Settlement. With respect to any and all Settled Claims and Released Parties' Claims, the Parties stipulate and agree that upon the Effective Date, Lead Plaintiffs and the Settling Defendants shall expressly waive, and each Settlement Class Member and Released Party shall be deemed to have waived, and by operation of the Judgment shall expressly have waived, any and all provisions, rights and benefits conferred by California Civil Code §1542, or any law of any state of the United States, or principle of common law or otherwise, which is similar, comparable, or equivalent to 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 Parties acknowledge, and Settlement Class Members and Released Parties by operation of law shall be deemed to have acknowledged, that the inclusion of "Unknown Claims" in the definition of Settled Claims and Released Parties' Claims was separately bargained for and was a key element of the Settlement.

2. This release shall be of no force or effect unless and until the Court gives final approval to the Settlement and the Effective Date occurs.

#### VI. REPRESENTATIONS

1. 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.

2. I (We) hereby warrant and represent that I (we) have included information about all of my (our) purchases, acquisitions and sales transactions in Duke common stock which occurred between June 11, 2012 and October 5, 2012, inclusive, as well as the number of shares of Duke common stock held by me (us) at the close of trading on June 10, 2012 and at the close of trading on October 5, 2012.



I (WE) DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT ALL OF THE FOREGOING INFORMATION SUPPLIED ON THIS PROOF OF CLAIM AND RELEASE FORM BY THE UNDERSIGNED IS TRUE AND CORRECT.

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

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

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

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

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

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

\_\_\_\_\_  
(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 Representations section of the Proof of Claim on page 6. If this Claim 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. Do not send original stock certificates or documentation. These items cannot be returned to you by the Claims Administrator.
4. Please do not highlight or use red pen on any portion of the Proof of Claim or any supporting documents.
5. Keep copies of the completed Proof of Claim and documentation for your own records.
6. If you desire an acknowledgment of receipt of your claim form please send it Certified Mail, Return Receipt Requested.
7. If your address changes in the future, or if this Proof of Claim 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 or toll-free at (888) 287-5302, or visit [www.dukesecuritiessettlement.com](http://www.dukesecuritiessettlement.com).

**THIS PROOF OF CLAIM MUST BE SUBMITTED ONLINE OR MAILED NO LATER THAN JULY 13, 2015,  
ADDRESSED AS FOLLOWS:**

*Duke Energy Corp. Securities Litigation Settlement*  
c/o Gilardi & Co. LLC  
Claims Administrator  
P.O. Box 990  
Corte Madera, CA 94976-0990  
[www.dukesecuritiessettlement.com](http://www.dukesecuritiessettlement.com)

