

PROOF OF CLAIM AND RELEASE

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SUNIL SUDUNAGUNTA, V. NANTKWEST, INC., ET AL.

Case No. 16-cv-1947-MWF (JEMx)

Hon. Michael W. Fitzgerald

Class Action

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GENERAL INSTRUCTIONS

I. GENERAL INSTRUCTIONS

1. To recover as a member of the Class based on your claims in the consolidated action entitled *Sudunagunta v. NantKwest, Inc.*, No. 16-cv-1947-MWF (JEMx) (C.D. Cal.) you must complete and, on page 7 hereof, sign this Proof of Claim and Release form (“Proof of Claim”). If you fail to file a properly addressed (as set forth in paragraph 3 below) Proof of Claim, your claim may be rejected and you may be precluded from any recovery from the Net Settlement Fund created in connection with the proposed Settlement.

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

3. YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM, ACCOMPANIED BY COPIES OF THE DOCUMENTS REQUESTED HEREIN, **POSTMARKED ON OR BEFORE APRIL 26, 2019**, ADDRESSED AS FOLLOWS:

**NantKwest Securities Litigation
c/o JND Legal Administration
P.O. Box 91230
Seattle, WA 98111**

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

4. If you are a member of the Class and you did not timely request exclusion in connection with the proposed Settlement, you are bound by the terms of any judgments entered in the Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM.

II. CLAIMANT IDENTIFICATION

If you purchased or otherwise acquired NantKwest, Inc. (“NantKwest” or the “Company”) common stock in or traceable to NantKwest’s July 28, 2015 Initial Public Offering (“IPO”) and held the certificate(s) in your name, you are the beneficial purchaser or acquirer as well as the record purchaser or acquirer. If, however, you purchased or otherwise acquired NantKwest common stock in or traceable to NantKwest’s July 28, 2015 IPO and the certificate(s) were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser or acquirer and the third party is the record purchaser or acquirer. ALL SHARES PURCHASED BETWEEN THE TIME OF THE IPO AND JANUARY 25, 2016 WILL BE PRESUMED TRACEABLE TO THE IPO. ALL SHARES PURCHASED AFTER JANUARY 25, 2016 WILL BE PRESUMED NOT TRACEABLE.

Use Part I of this form entitled “Claimant Identification” to identify each purchaser or acquirer of record (“nominee”), if different from the beneficial purchaser or acquirer of the NantKwest common stock which forms the basis of this claim. THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH

PURCHASER(S) OF ACQUIRER(S) OF THE NANTKWEST COMMON STOCK UPON WHICH THIS CLAIM IS BASED.

All joint purchasers or acquirers 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 Social Security (or 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.

III. CLAIM FORM

Use Part II of this form entitled "Schedule of Transactions in NantKwest Common Stock" to supply all required details of your transaction(s). 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 **all** of your purchases, acquisitions and sales of NantKwest common stock that was purchased or acquired in, or that is traceable to, Nantkwest's IPO in July 2015, whether such transactions resulted in a profit or a loss. You must also provide all of the requested information with respect to all transactions in NantKwest common stock through the present. Failure to report all such transactions may result in the rejection of your claim.

List each transaction in the Class Period separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

The date of covering a "short sale" is deemed to be the date of purchase of NantKwest common stock. The date of a "short sale" is deemed to be the date of sale of NantKwest common stock.

Copies of broker confirmations or other documentation of your transactions in NantKwest common stock should be attached to your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

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 claimants **MUST** submit a manually signed paper Proof of Claim whether or not they also submit electronic copies. If you wish to file your claim electronically, you must contact the Settlement Administrator at NKISecurities@JNDLA.com to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Settlement Administrator issues to the claimant a written acknowledgment of receipt and acceptance of electronically submitted data.

PART I – CLAIMANT IDENTIFICATION

**Must Be Postmarked On Or Before:
April 26, 2019**

Please Type or Print

Last Name

M.I.

First Name

Last Name (Co-Beneficial Owner)

M.I.

First Name (Co-Beneficial Owner)

IRA Joint Tenancy Employee Individual Other _____ (specify)

Company Name (Beneficial Owner – If Claimant is not an Individual) or Custodian Name if an IRA

Trustee/Asset Manager/Nominee/Record Owner's Name (If Different from Beneficial Owner Listed Above)

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

Social Security Number

or

Taxpayer Identification Number

Telephone Number (Primary Daytime)

Telephone Number (Alternate)

Email Address

Address

Address

City

State

Zip Code

Foreign Province

Foreign Postal Code

Foreign Country Name/Abbreviation

PART II – SCHEDULE OF TRANSACTIONS IN NANTKWEST COMMON STOCK

A. Purchases or acquisitions of NantKwest common stock in NantKwest’s July 28, 2015 IPO, or between July 28, 2015 and January 25, 2016, both dates inclusive:

Trade Date Month Day Year	Number of Shares Purchased or Acquired	Purchase or Acquisition Price Per Share	Total Purchase or Acquisition Price
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$

B. State the total number of NantKwest common stock Purchased or acquired between January 26, 2016 and April 26, 2019, both dates inclusive:

C. All Sales of NantKwest common stock between July 28, 2015 and April 26, 2019, both dates inclusive:

Trade Date Month Day Year	Number of Shares Sold	Sale Price Per Share	Total Sales Price
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$

D. State the total number of NantKwest common stock owned at the close of trading on April 26, 2019.

YOU MUST READ AND SIGN THE RELEASE ON PAGE 7. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.

IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

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 Central District of California, 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 covering the same purchases, acquisitions or sales of NantKwest common stock which are subject to the Litigation 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 Claims each and all of the "Released Parties," defined as Defendants, their present and former parents, subsidiaries, divisions, departments, affiliates, stockholders, officers, directors, employees, agents, and any of their advisors, counsel, underwriters, insurers, co-insurers, reinsurers, accountants, auditors, representatives, controlling persons, administrators, estates, spouses, heirs, joint ventures, general or limited partners or partnerships, limited liability companies and any trust of which any individual defendant is the settlor or which is for the benefit of an individual defendant and/or any member of an individual defendant's immediate family, and any entity in which a Defendant has a controlling interest (directly or indirectly) (and the predecessors, successors, administrators and assigns of each of the foregoing).

2. "Released Claims" shall collectively mean all claims, rights, demands, obligations, damages, actions or causes of action, or liabilities whatsoever, of every nature and description, whether known or unknown (including Unknown Claims as defined herein), whether arising under federal, state, common or foreign law or regulation, that arise out of or relate in any way to the purchase, other acquisition, sale, or other disposition of NantKwest securities in or traceable to NantKwest's initial public offering, and/or the acts, facts, statements, or omissions that were or could have been alleged or asserted by Plaintiffs or any member of the Class in the Action or in any other action in any court or forum.

3. "Unknown Claims" shall collectively mean all claims, demands, rights, liabilities, and causes of action of every nature and description which I (we) do not know or suspect to exist, or do not have reason to know or suspect to exist, in my (our) favor at the time of the release of the Released Parties which, if known by my (our), might have affected my (our) settlement with and release of the Released Parties, or might have affected my (our) decision not to object to this Settlement. With respect to any and all of the Released Claims, I (we) agree that, upon the Effective Date, I (we) shall have expressly waived, and by operation of the Judgment shall be deemed to have waived, the provisions, rights and benefits of California Civil Code § 1542 and any similar rule or provision of law or equity of any other jurisdiction. Section 1542 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.

I (we) acknowledge that I (we) may hereafter discover facts in addition to or different from those which I (we) know or believe to be true with respect to the matter of the Released Claims, but I (we) nevertheless shall have expressly fully, finally, and forever settled and release any and all Released Claims, 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 which 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. I (we) further stipulate and agree that I (we) have had an opportunity to consult with counsel of my (our) choosing about this waiver and the implications thereof, and that I (we) by operation of the Judgment shall be deemed to have had such opportunity. I (we) acknowledge, and by operation of the Judgment shall be deemed to have acknowledged, that the foregoing waiver was separately bargained for and is a key and material element of the Settlement of which this release is a part.

4. 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.

5. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in NantKwest common stock which are subject to the Action as well as the number of shares of NantKwest common stock held by me (us) as of March 22, 2016.

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 by the undersigned is true and correct.

Executed this _____ day of _____
(Month/Year)
in _____
(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



Please sign the above release and declaration.

Remember to attach copies of supporting documentation, if available.



Do not send originals of certificates or other documentation as they will not be returned.

Keep a copy of your claim form and all supporting documentation for your records.

If you desire an acknowledgment of receipt of your claim form, please send it Certified Mail, Return Receipt Requested.



If you move, please send your new address to: NantKwest Securities Litigation, c/o JND Legal Administration, P.O. Box 91230, Seattle, WA 98111.

Do not use red pen or highlighter on the Proof of Claim or supporting documentation.



**THIS PROOF OF CLAIM MUST BE POSTMARKED ON OR BEFORE APRIL 26, 2019,
ADDRESSED AS FOLLOWS:**

**NantKwest Securities Litigation
c/o JND Legal Administration
P.O. Box 91230
Seattle, WA 98111**