

BAXTER FAIR FUND

Taxpayer Certification Form

You are receiving this form because our records indicate that you filed a claim in the Baxter Securities Class Action or a claim may have been submitted on your behalf. If the claim that you submitted in the Class Action was accepted in that action, then you may be eligible to receive a payment from the Baxter Fair Fund established in the related Securities and Exchange administrative proceedings further described in the Plan Notice.¹ However, to have your claim from the Class Action considered for payment from the Baxter Fair Fund, you must complete and return the Taxpayer Certification Form below to the Fund Administrator at *Baxter Fair Fund*, P.O. Box 6700, Portland, OR 97228-6700 or online at www.BaxterFairFundDistribution.com. **This Taxpayer Certification Form must be submitted so that it is postmarked on or before January 23, 2024; or submitted online at www.BaxterFairFundDistribution.com, or otherwise received by the Fund Administrator, on or before January 23, 2024.**

Please note if the claim you submitted in connection with the Class Action was denied for not having valid documentation supporting the purchases/acquisitions of Baxter International common stock claimed, or because the Claim that you submitted in connection with the Class Action was missing (i) a valid signature; or (ii) the authority and/or the capacity of the person to sign on behalf of the beneficial owner, a Claim Deficiency Notice has been included with your Plan Notice. The Claim Deficiency Notice specifies the deficiency(ies) associated with your Class Action claim that must be cured for your claim to be considered for payment from the Baxter Fair Fund. **This Taxpayer Certification Form as well as the information required to cure the deficiencies associated with your claim must be submitted so that it is postmarked on or before January 23, 2024; or submitted online at www.BaxterFairFundDistribution.com, or otherwise received by the Fund Administrator, on or before January 23, 2024.**

If you are submitting a Claim Form in connection with the Baxter Fair Fund because you did not submit a claim in the Related Class Action, you wish to modify the claim submitted in the Related Class Action, or for some other reason, you do not have to submit this form; just fully and completely fill out the Baxter Fair Fund Claim form.

The Baxter Fair Fund is a “Qualified Settlement Fund” (“QSF”) as defined in Section 468B(g) of the Internal Revenue Code, 26 U.S.C. Section 468B(g), as amended, and the Treasury regulations promulgated thereunder, 26 C.F.R. 1.468B-1 *et seq.*

To ensure that the QSF can comply with its reporting and/or withholding obligations, please complete and provide one (1) of the following forms, as applicable:

- IRS Form W-9 or Substitute IRS Form W-9 (below); **OR**
- IRS Form W-8BEN, W-8BEN-E, or other W-8 series form

If you are a U.S. person, as that term is defined below, then you should complete the Substitute IRS Form W-9 below.

If you are **not** a U.S. person, then you should **not** complete the Substitute IRS Form W-9 below. Instead, you should complete IRS Form W-8BEN, W-8BEN-E, or other W-8 series form, which can be found by visiting the following IRS website: <https://www.irs.gov/forms-instructions>.

The term “U.S. person” means:

- A citizen or resident of the United States,
- A partnership created or organized in the United States or under the law of the United States or of any State, or the District of Columbia,
- A corporation created or organized in the United States or under the law of the United States or of any State, or the District of Columbia,
- Any estate or trust other than a foreign estate or foreign trust (see Internal Revenue Code § 7701(a)(31) for the definition of a foreign estate and a foreign trust), or
- Any other person that is not a foreign person.

If the QSF does not receive a valid and complete Form W-9 or W-8 from you, you may be determined ineligible for a distribution payment or the QSF may be required under the Internal Revenue Code to make certain presumptions about you for purposes of tax reporting and, as applicable, withholding. The QSF may be required to presume the interest is being paid to: (1) a payee subject to 30% withholding under the Foreign Account Tax Compliance Act (“FATCA”) and reporting on Form 1042-S; (2) a nonresident alien of the U.S. (“NRA”) subject to reporting and 30% NRA withholding and reporting on Form 1042-S; or (3) a U.S. person subject to 24% backup withholding and reporting on Form 1099-INT.

¹ *In the Matter of Baxter International, Inc.*, U.S. Securities and Exchange Commission, Admin. Proc. No. 3-20781 (Feb. 22, 2022); *In the Matter of Jeffrey Schaible*, U.S. Securities and Exchange Commission, Admin. Proc. No. 3-20782 (Feb. 22, 2022); *In the Matter of Scott Bohaboy*, U.S. Securities and Exchange Commission, Admin. Proc. No. 3-20783 (Feb. 22, 2022), publicly available at: <https://www.sec.gov/enforcement/information-for-harmed-investors/baxter>.

ALL CLAIMS AND TAX DOCUMENTS MUST BE SUBMITTED SO THAT IT IS POSTMARKED ON OR BEFORE JANUARY 23, 2024, OR OTHERWISE RECEIVED BY THE FUND ADMINISTRATOR ON OR BEFORE JANUARY 23, 2024.

**Substitute Form W-9
Taxpayer Identification Number Certification**

Social Security Number - - OR Employer Identification Number -

FATCA reporting code (if any) _____ Exempt Payee Code _____

Claimant Account Type (check appropriate box)

- Individual C Corporation S Corporation
- Partnership Trust/estate
- Other _____ (please specify)

Limited Liability Company - choose tax classification

- C Corporation S Corporation Partnership

Print your name as it appears on your federal income tax return:

First Name and Last Name, for Individuals. Entity Name for businesses and trusts.

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number; **and**
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; **and**
3. I am a U.S. citizen or other U.S. person (including a U.S. resident alien); **and**
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Note: If you have been notified by the IRS that you are subject to backup withholding, you must cross out item 2 above.

Signature of U.S. Person: _____ Date: _____