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ESSEX, ss.

SUPERIOR COURT DEPARTMENT

JAMES JONES,

Plaintiff,

v.

MARK ASLETT, MICHAEL D. RUPPERT, WILLIAM L. BALLHAUS, DAVID E. FARNSWORTH, ORLANDO P. CARVALHO, LISA S. DISBROW, BARRY R. NEARHOS, HOWARD L. LANCE, DEBORA A. PLUNKETT, GERARD J. DEMURO, SCOTT OSTFELD, ROGER A. KRONE, WILLIAM K. O'BRIEN, VINCENT VITTO, JAMES K. BASS, MICHAEL A. DANIELS, AND MARY LOUISE KRAKAUER,

Defendants,

and

MERCURY SYSTEMS, INC.,

Nominal Defendant

CIVIL ACTION NO. 2577CV00600

ORDER PRELIMINARILY APPROVING DERIVATIVE SETTLEMENT AND PROVIDING FOR NOTICE

PAULINE MCKINNON,

Plaintiff,

v.

MARK ASLETT, MICHAEL D. RUPPERT, WILLIAM L. BALLHAUS, DAVID E. FARNSWORTH, ORLANDO P. CARVALHO, LISA S. DISBROW, BARRY R. NEARHOS, HOWARD L. LANCE, DEBORA A. PLUNKETT, GERARD J. DEMURO, SCOTT OSTFELD, ROGER A. KRONE, WILLIAM K. O'BRIEN, VINCENT VITTO, JAMES K. BASS, and MARY LOUISE KRAKAUER,

Defendants,

and

MERCURY SYSTEMS, INC.,

Nominal Defendant.

CIVIL ACTION NO. 2577CV01299-A

WHEREAS, the above-captioned consolidated stockholder derivative action brought by plaintiffs James Jones ("Jones") and Pauline McKinnon ("McKinnon") (together, "Plaintiffs") on behalf of Mercury Systems, Inc. ("Mercury" or the "Company") (the "Action"), is pending before this Court;

WHEREAS, stockholder Robert Sawyer ("Sawyer") made a demand on the Board of Directors of Mercury (the "Board") pursuant to Mass. Gen. Laws ch. 156D § 7.42 (together with the Action, the "Derivative Matters");

WHEREAS, Jones, McKinnon, and Sawyer (collectively "Stockholders") have made application, pursuant to Rule 23.1 of the Massachusetts Rules of Civil Procedure, for an order (i) preliminarily approving the proposed settlement (the "Settlement") of the Derivative Matters, in accordance with a Stipulation of Settlement dated July 6, 2026 (the "Stipulation"), which, together with the Exhibits annexed thereto, sets forth the terms and conditions for a proposed Settlement and dismissal of the Action on the merits and with prejudice, upon the terms and conditions set forth therein; and (ii) approving the: Notice of Pendency of Shareholder Action, Proposed Settlement, and Settlement Hearing, attached hereto as Exhibit C-1 (the "Long-Form Notice") and the Summary Notice of Pendency of Shareholder Action, Proposed Settlement, and Settlement Hearing, attached hereto as Exhibit C-2 (the "Summary Notice"); and

WHEREAS, all capitalized terms contained herein shall have the meanings as set forth in the Stipulation (in addition to those capitalized terms defined herein);

WHEREAS, this Court, having considered the Stipulation and the Exhibits annexed thereto and Stockholders' unopposed motion for preliminary approval of the Settlement;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. This Court does hereby preliminarily approve, subject to further consideration at the Settlement Hearing described below, the Stipulation and the Settlement set forth therein, including the terms and conditions for settlement and dismissal with prejudice of the Action.

2. A hearing (the "Settlement Hearing") shall be held before this Court on Nov. 10th, 2026, at 2:00 p.m., at the Essex County Superior Court for the Commonwealth of Massachusetts, 145 High Street, Newburyport, Massachusetts 01950, to determine: (i) whether the Settlement of the Derivative Matters on the terms and conditions provided for in the Stipulation is fair, reasonable, and adequate to Mercury and its stockholders and should be approved by the Court; (ii) whether the Approval Order and a Judgment as provided in Section V(1) ¶ 1.2 and ¶ 1.90 of the Stipulation should be entered herein; and (iii) whether to approve the agreed attorneys' fees and expenses to Stockholders' Counsel.

3. The Court approves, as to form and content, the Notice of Proposed Derivative Settlement annexed as Exhibit C-1 hereto (the "Long-Form Notice") and the Summary Notice of Proposed Derivative Settlement annexed as Exhibit C-2 hereto (the "Summary Notice"), and finds that the publication of the Long-Form Notice, Summary Notice, and Stipulation, substantially in the manner and form set forth in this Order, meeting the requirements of Rule 23.1 of the Massachusetts Rules of Civil Procedure and due process, is the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all Persons entitled thereto.

4. Not later than ten (10) business days following entry of this Order, Mercury shall:

A. cause a copy of the Long-Form Notice, substantially in the form annexed as Exhibit C-1 hereto, and the Stipulation to be filed with the U.S. Securities and Exchange Commission ("SEC") along with an SEC Form 8-K or other appropriate filing;

B. create a link to the SEC filing on the Company's "Investor Relations" page, the address of which shall be contained in the Long-Form Notice and Summary Notice; and

C. promptly cause a copy of the Summary Notice, substantially in the form annexed as Exhibit C-2 hereto, to be published one time in *Investor's Business Daily*.

5. All costs incurred in the filing, publishing, and posting of the Long-Form Notice and the Summary Notice shall be paid by Mercury, and Mercury shall undertake all administrative responsibility for such filing, publication, and posting.

6. Not later than fourteen (14) days before the Settlement Hearing, Settling Defendants' Counsel shall serve on Stockholders' Counsel and file with the Court proof, by affidavit or declaration, that it has complied with ¶ 4 above.

7. All Mercury stockholders of record as of the Approval Date shall be bound by all orders, determinations, and judgments of the Court in the Action concerning the Settlement, whether favorable or unfavorable to Mercury stockholders.

8. Pending final determination by the Court of whether the Settlement should be approved, this Court preliminarily bars and enjoins Stockholders, all other stockholders, and the Company, on behalf of themselves, from commencing, instituting, filing, intervening in, participating in (as a nominal defendant or otherwise), receiving any benefit from, or prosecuting any of the Released Claims against, any of the Released Persons.

9. Stockholders shall file and serve their opening brief in support of final approval of the Settlement no later than twenty-eight (28) calendar days prior to the Settlement Hearing.

Stockholders may file a brief in further support of final approval of the Settlement no later than ten (10) calendar days prior to the Settlement Hearing.

10. As set forth in the Notice, any Mercury stockholder who or which continues to hold shares of Mercury stock as of the date of the Settlement hearing may appear at the Settlement Hearing and show cause, if he, she, or it has any reason why the terms of the Settlement of the Derivative Matters or the Fee and Expense Application should not be approved as fair, reasonable, and adequate, or why the Approval Order and Judgment should not be entered thereon, provided, however, that, unless otherwise ordered by the Court, no current Mercury stockholder shall be heard or entitled to contest the approval of all or any of the terms and conditions of the Settlement, or, if approved, the Approval Order and the Judgment to be entered thereon approving the same, unless that person or entity has, at least twenty-one (21) calendar days before the Settlement Hearing, filed his, her, or its, objection with the Clerk of the Court in accordance with the requirements set forth herein. All written objections and supporting papers must be submitted to the Court either by mailing them to:

CLERK'S OFFICE
Essex County Superior Court for the
Commonwealth of Massachusetts
145 High Street
Newburyport, MA 01950

or by filing them in person at the Essex CoDERunty Superior Court for the Commonwealth of Massachusetts. All written objections must also be mailed to:

Plaintiffs' Counsel:

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MERCURY SYSTEMS, INC.
Grant Rauscher (BBO #696660)
50 Minuteman Road
Andover, MA 01810
Telephone: (978) 967-3192
grant.rauscher@mrcy.com

Any current Mercury stockholder who does not make an objection in the manner provided herein shall be deemed to have waived such objection and shall forever be foreclosed from making any objection to the fairness, reasonableness, or adequacy of the Settlement as incorporated in the Stipulation and to the award of attorneys' fees and expenses to be Stockholders' Counsel, unless otherwise ordered by the Court, but shall otherwise be bound by the Approval Order and the Judgment to be entered and the releases to be given.

11. Any attorney hired by a stockholder for the purpose of objecting to the Settlement must file a notice of appearance with the Clerk of the Court no later than twenty-one (21) calendar days before the Settlement Hearing.

12. Stockholders' Counsel and Settling Defendants' counsel are directed to promptly furnish each other with copies of any and all objections that are served upon them or otherwise come into their possession.

13. Any objections, filings, and other submissions must: (a) state the name, address, and telephone number of the objector and, if represented by counsel, the name, address, and telephone number of his, her, or its counsel; (b) state case name and number (*Jones v. Aslett, et al.*, C.A. No. 2577CV00600 (Sup. Ct. Mass.)); (c) state the number of shares of Mercury currently owned together with documentation sufficient to prove ownership of those shares, and include a statement that the objector will continue to hold shares of Mercury common stock as of the date of the Settlement Hearing; (d) state the date(s) the Mercury shares were acquired; (e) contain a specific, written statement of the objection(s) and the specific reason(s) for the objection(s), including any legal and evidentiary support the objector wishes to bring to the Court's attention, and if the objector has indicated that he, she, or it intends to appear at the Settlement Hearing, the identity of any witnesses the objector may call to testify and any exhibits the objector intends to introduce into evidence at the hearing. Documentation establishing ownership of Mercury common stock must consist of copies of an official brokerage account statement, a screen shot of an official brokerage account, or an authorized statement from the objector's broker containing the information found in an account statement, all of which may be redacted consistent with Massachusetts Supreme Judicial Court Rule 1:24. The Parties are authorized to request from any

objector additional information or documentation sufficient to prove his, her, or its holdings of Mercury common stock.

14. At least five (10) calendar days prior to the Settlement Hearing, the Settling Parties may serve and file with the Court a joint response brief (or, at the Settling Parties' discretion, separate response briefs) to any objections made in connection with the proposed Settlement.

15. Neither the Stipulation nor the Settlement, including the Exhibits attached thereto, nor any act performed or documented executed pursuant to or in furtherance of the Stipulation or the Settlement: (a) is or may be deemed to be or may be offered, attempted to be offered or used in any way as a concession, admission, or evidence of the validity of any Released Claims or any fault, wrongdoing, or liability of the Released Persons or Mercury; or (b) is or may be deemed to be or may be used as a presumption, admission, or evidence of any liability, fault or omission of any of the Released Persons or Mercury in any civil, criminal, or administrative or other proceeding in any court, administrative agency, tribunal or other forum. Neither the Stipulation nor the Settlement, nor any act performed or document executed pursuant to or in furtherance of the Stipulation or the Settlement, shall be admissible in any proceeding for any purpose, except to enforce the terms of the Settlement or to seek insurance coverage for the Settlement, the Securities Class Action, or the Action, and except that the Released Persons may file or use the Stipulation, the Approval Order and/or the Judgment in any action that may be brought against them in order to support a defense or counterclaim based on principles of *res judicata*, collateral estoppel, full faith and credit, release, standing, judgment bar, or reduction, or any other theory of claim preclusion or issue preclusion or similar defense or counterclaim.

16. The Court reserves the right to adjourn the date of the Settlement Hearing or modify any other dates set forth herein without further notice to Mercury stockholders, and retains exclusive jurisdiction to consider all further applications arising out of or connected with the

Settlement. The Court may approve the Settlement, with such modifications as may be agreed to by the Parties, if appropriate, without further notice to Mercury stockholders.

IT IS SO ORDERED.

DATED: September 3rd, 2026

Kristen Burton Wagner