

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE INITIAL PUBLIC OFFERING SECURITIES LITIGATION

21 MC 92 (SAS)

This Notice relates to all Actions.

**NOTICE OF PENDENCY AND PROPOSED GLOBAL SETTLEMENT OF 309 CLASS ACTIONS, MOTION FOR APPROVAL OF SETTLEMENT, PLAN OF ALLOCATION, ATTORNEYS' FEES AND EXPENSES, PSLRA AWARDS OF REIMBURSEMENT OF REPRESENTATIVES' TIME AND EXPENSES AND SETTLEMENT FAIRNESS HEARING**

**[Cover Page, as Required by the Private Securities Litigation Reform Act of 1995 (the "PSLRA")]**

IF YOU PURCHASED OR OTHERWISE ACQUIRED ANY OF THE SECURITIES LISTED ON SCHEDULE 1 ANNEXED HERETO (THE "SUBJECT SECURITIES") IN THE DATE RANGES SET FORTH THEREIN, THEN YOU MAY BE A MEMBER OF ONE OR MORE OF THE SETTLEMENT CLASSES HEREIN AND YOUR RIGHTS MAY BE AFFECTED BY THE SETTLEMENT DESCRIBED IN THIS NOTICE.

*A federal court authorized this notice. This is not a solicitation from a lawyer.*

- A Notice was distributed in November 2005 describing a proposed settlement of this litigation with certain issuer defendants. That settlement was voluntarily terminated after the classes in the continuing litigation against the underwriter defendants, as originally defined, were decertified on appeal. Following additional litigation, a new Settlement described herein (the "Settlement"), with all the Defendants, has been proposed on behalf of the re-defined Settlement Classes described herein.
- The new proposed Settlement is set forth in a Stipulation and Agreement of Settlement dated April 1, 2009 (the "Stipulation"). If approved, the Stipulation will resolve the claims asserted in the actions against all of the Issuers listed on Schedule 1 annexed hereto (the "Actions"), as well as against all of the defendants ever named in the Actions, on behalf of all persons who purchased or otherwise acquired the Subject Securities, subject to certain exceptions further described herein, in the date ranges set forth on Schedule 1 (the "Settlement Classes" and "Settlement Class Periods").
- The new Settlement provides, among other things, that the Defendants or their insurers will pay a total of \$586 Million in cash for the benefit of the Settlement Classes.
- If you received one or more yellow color page(s) headed "FRONTISPIECE" with this notice, such yellow color page(s) indicates the Subject Securities you may have purchased during the respective Class Periods. However, you should check all the Subject Securities listed in Schedule 1, as you may have purchased other Subject Securities as well during the respective Class Periods.
- Your legal rights will be affected whether you act, or do not act. Please read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
<b>SUBMIT A CLAIM FORM BY DECEMBER 10, 2009</b>	The only way to get a payment.
<b>EXCLUDE YOURSELF BY AUGUST 10, 2009</b>	If you want to bring or continue your own action(s) (including any lawsuit(s) or arbitration proceeding(s)) for claims involved in this proceeding, against any of the persons covered by the Settlement, you must exclude yourself from that particular Settlement Class. This is the only option that allows you to separately pursue such claims against the persons covered by the Settlement.
<b>OBJECT BY AUGUST 10, 2009</b>	Write to the Court about why you do not like the Stipulation or any of its terms.
<b>GO TO A HEARING</b>	Ask to speak in Court about the fairness of the Settlement.
<b>DO NOTHING</b>	Get no payment. Give up rights.

QUESTIONS? CALL 1-800-916-6946 TOLL FREE, OR VISIT [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com)  
PARA UNA NOTIFICACIÓN EN ESPAÑOL, LLAMAR O VISITAR NUESTRO WEBSITE

- These rights and options - **and the deadlines to exercise them** - are explained in this notice.
- The Court in charge of this case still has to decide whether or not to approve the proposed Settlement.

## SUMMARY OF THIS NOTICE

### Purpose of this Notice

This notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the Court dated June 11, 2009. The purpose of this notice is to inform you that the Settlement of these Actions will affect the rights of all members of the Settlement Classes. Members of one or more of the Settlement Classes are called the "Settlement Class Members." This notice describes rights Settlement Class Members have under the Stipulation and what steps you, if you are a Settlement Class Member, may take in relation to these Actions.

This notice is not an expression of any opinion by the Court as to the merits of any claims or any defenses asserted by any party in these Actions, or the fairness or adequacy of the Stipulation.

### Statement of Plaintiff Recovery

Pursuant to the Stipulation, a Settlement Fund consisting of \$586 Million in cash has been established for the settlement of all of the 309 constituent Actions.

Attached hereto as Schedule 2 is a list showing, for each of the Actions, the amount of the Settlement's *recovery* designated for each Settlement Class, both in total (see column entitled "PSLRA Stmt. Of Gross Recovery") and, based on the number of Subject Securities estimated to be damaged in each Settlement Class, on average (see column entitled "PSLRA Stmt. Of Gross Recovery Per Damaged Subject Security").<sup>1</sup>

### Statement of Potential Outcome of Case

The parties disagree on both liability and damages. The Defendants deny that they are liable to the Plaintiffs or other members of the Settlement Classes. The Defendants also deny that Plaintiffs or the Settlement Classes have suffered any damages. The Stipulation is not an admission or concession by any Defendant as to the validity of any claim asserted against them, nor is the Stipulation any concession of liability or damages. The issues on which the parties disagree include: (a) whether the alleged conduct and statements made or omitted were material or otherwise actionable under the federal securities laws; (b) the appropriate economic model for determining the amount by which any Subject Security was allegedly artificially inflated (if at all) during the Settlement Class Period; (c) the amounts by which the prices of the Subject Securities were allegedly artificially inflated (if at all) during the Settlement Class Period; (d) the effect of various market forces influencing the trading price of the Subject Securities at various times during their respective Settlement Class Periods; (e) the extent to which external factors, such as general market and industry conditions, influenced the trading price of the Subject Securities at various times during the Settlement Class Period; and, (f) the extent to which the various conduct and statements that Plaintiffs alleged influenced (if at all) the trading prices of the Subject Securities at various times during the Settlement Class Periods. Although not required by the PSLRA, Schedule 2 also sets forth a preliminary estimate of potential trial damages calculated by Plaintiff's Executive Committee's expert for eligible Settlement Class Members<sup>2</sup> in each Action (see column entitled "Plaintiffs' Preliminary Estimate Of Potential Trial Damages for Settlement Class Members").

### Statement of Attorneys' Fees and Costs Sought and Request for PSLRA Awards Reimbursing Reasonable Time and Expense for Representative Plaintiffs

In the more than 8 years that this litigation has been pending, Plaintiffs' Counsel have not been paid any fees and have advanced or incurred millions of dollars in expenses without reimbursement. Plaintiffs' Counsel are moving the Court to award attorneys' fees not to exceed one-third (33 $\frac{1}{3}$ %) of the Total Designation Amount in each Action (see column of Schedule 2 entitled "PSLRA Stmt. Of Gross Recovery"), plus interest earned on the Gross Settlement Fund at the same net rate, plus reimbursement of expenses incurred in connection with the prosecution of this litigation plus

<sup>1</sup> An allegedly damaged Subject Security might have been traded more than once during the Settlement Class Period, and the indicated average recovery would be the total for all purchasers of that Subject Security.

<sup>2</sup> Plaintiffs' preliminary estimate of potential trial damages estimates exclude estimated damages suffered by Excluded Allocants under the damage methodology utilized by the expert.

interest. The requested attorneys' fees represent substantially less than Plaintiffs' Counsel's normal billable hourly aggregate fees incurred in this litigation. In this type of litigation it is customary for counsel to be awarded a percentage of the common fund recovery as their attorneys' fees.

During the pendency of the Actions, Plaintiffs' Counsel have expended or incurred approximately \$56 Million of expenses in connection with the investigation, prosecution and resolution of the Actions, for which reimbursement is expected to be sought, plus interest. In addition, Plaintiffs' Counsel estimate that Proposed Settlement Class Representatives and/or Lead Plaintiffs will apply to the Court for reimbursement of their reasonable time and expense (including lost wages) incurred as a result of representing the proposed Settlement Classes in this action ("PSLRA Award Requests"), in an amount not to exceed \$4 Million in the aggregate for the Proposed Settlement Class Representatives and/or Lead Plaintiffs should they choose to make an application. Lastly, Plaintiffs' Executive Committee estimates that an additional \$27.5 Million will be incurred by the Claims Administrator in notifying the millions of potential Settlement Class Members and in processing claim forms filed in connection with the proposed Settlement.

The accompanying Schedule 2 shows the requested attorneys' fees and expenses for each of the Actions, including any PSLRA Award Requests and the notice and administration expenses, both in total (see column entitled "PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests") and, based on the number of Subject Securities estimated to be damaged in each Settlement Class, on average (see column entitled "PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests Per Damaged Subject Security").

#### Further Information

Further information regarding the Actions, the Settlement, the Stipulation, and this notice may be obtained by contacting any member of Plaintiffs' Executive Committee:

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WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ LLP  
270 Madison Avenue  
New York, New York 10016  
(212) 545-4600

Copies of the Stipulation, including the exhibits thereto, may be accessed at [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com).

#### Reason for the Settlement

The principal reason for the Settlement is the establishment of a \$586 Million Settlement Fund. This benefit must be compared to the risk that no recovery might be achieved after contested trials and likely appeals, possibly years into the future.

**[END OF PSLRA COVER PAGE]**

**WHAT THIS NOTICE CONTAINS**

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## **BASIC INFORMATION**

### 1. Why did I get this notice package?

You or someone in your family may have purchased or otherwise acquired the Subject Securities of one or more of the entities listed on Schedule 1 during the Settlement Class Periods and may therefore be a Settlement Class Member.

The Court directed that this notice be sent to all members of the Settlement Classes because Settlement Class Members have a right to know about the proposed Settlement of the Actions against all Defendants, and about all of the Settlement Class Members' options, before the Court decides whether or not to approve the Settlement. This package describes the litigation, the Settlement and the legal rights of all Settlement Class Members and the deadlines to exercise such legal rights.

The Court in charge of the case is the United States District Court for the Southern District of New York, and the coordinated litigation is known as In re Initial Public Offering Securities Litigation, Case No. 21 MC 92 (SAS) (the "IPO Litigation"). The Honorable Shira A. Scheindlin is the Judge overseeing the case. The people who sued are called the "Plaintiffs." The entities that are listed on Schedule 1 and that issued the Subject Securities are called the "Issuers." Some of these Issuers have filed for bankruptcy before or after the commencement of this litigation, and are known as the "Bankrupt Issuers." The remainder are the "Non-Bankrupt Issuers." The Issuers' officers and directors who were sued in this Litigation are called the "Individual Defendants." The fifty-five investment banks that underwrote the Issuers' Subject Securities in initial public offerings and other charged offerings and are called the "Underwriters." The Issuers, the Individual Defendants and the Underwriters are collectively called the "Defendants" and all non-bankrupt Defendants have collectively determined to settle this IPO Litigation.

### 2. What is this litigation about?

The Actions in the IPO Litigation allege that the Underwriters violated federal securities laws by manipulating the prices of the Subject Securities, and that they and the Issuer Defendants also violated these laws by failing to disclose that conduct to the public. Among other things, Plaintiffs allege that, in order to obtain allocations of Subject Securities in initial public offerings, certain investors were required or induced to commit to purchase additional Subject Securities after the IPO in a process alleged to be "laddering." Plaintiffs also allege that, in order to obtain allocations in initial public offerings, certain investors were required to pay excessive, undisclosed commissions to the Underwriters of the Subject Securities. In addition, Plaintiffs allege that stock analysts, who were employed by the Underwriters and had undisclosed conflicts of interest, made "buy recommendations" for the Subject Securities. Plaintiffs allege that these undisclosed and manipulative activities caused investors to pay artificially inflated prices for the Subject Securities during the Settlement Class Periods and to sustain damages. The Defendants deny any wrongdoing.

From January to December 2001, more than one thousand class action complaints were brought against various companies that held initial public offerings from 1998 through 2000 and certain investment banks that underwrote their IPOs. The complaints alleged violations of sections 11 and 15 of the Securities Act of 1933 and sections 10(b) and 20(a) of the Securities Exchange Act of 1934. The cases were consolidated by issuer and each of those cases was then coordinated before this Court for pre-trial management.

Plaintiffs subsequently amended the complaints and defendants filed motions to dismiss. In 2003, the Court sustained the complaints, in pertinent part, and discovery ensued, with tens of millions of pages produced, scores of depositions taken and extensive motion practice.

With discovery well underway, in 2004, Plaintiffs moved for, and the Court granted class certification in six selected focus cases. The Underwriter Defendants appealed that decision, and, in December 2006, the Second Circuit vacated the Court's certification order. While the class motion was pending before the Second Circuit, a partial settlement was reached between Plaintiffs and certain of the Issuer Defendants. The Court had preliminarily approved that settlement, permitting notice to be sent to the respective classes in 2005. This partial settlement, however, ultimately was voluntarily terminated by the parties due to the Second Circuit's 2006 decision vacating the Court's original class certification decision. To address the concerns identified by the Second Circuit, Plaintiffs amended the six focus case complaints and the master allegations filed in all Actions and in September 2007, filed a renewed motion for class certification, with new proposed classes which excluded institutional allocants.

In June 2008, after the partial settlement with the Issuer Defendants had been voluntarily terminated and while the renewed motion for class certification was pending before the Court, the parties collectively agreed to participate in a mediation to consider a global resolution of all Actions in the coordinated litigation. The parties retained Honorable Nicholas Politan and Honorable Daniel Weinstein, both former judges, to oversee and manage the mediation process. Counsel for the parties participated in numerous multiple-day mediation sessions, directly managed by the mediators, from June 2008 through October 2008, and many additional meetings, attended by counsel for the parties and the insurers, to negotiate the terms of the settlement. Ultimately, after negotiations which ensued over a total of 9 months, the parties reached an agreement to resolve all Actions on a global basis, with the terms now set forth in the Stipulation.

Copies of the Court's opinions, and copies of Plaintiffs' complaints and master allegations, may be viewed on the Internet at [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com), or at the Clerk of the Court's offices during the Court's business hours.

3. Why is this a class action?

In a class action, one or more people called class representatives or lead plaintiffs sue on behalf of all people who have similar claims (a "class"). To proceed as a class action, the court must find: that there are common questions of law or fact; that the claims of the named plaintiff are typical of the claims of other class members; that there are a large number of class members; that the named plaintiff or class representative will adequately represent the class; and, in a case of this nature, that the common questions predominate over individual questions. In a class action, one court typically resolves the common issues for all members of the class, except for persons who exclude themselves from the class.

Each of the Actions assert claims on behalf of a group of purchasers of a particular Subject Security. Each group of purchasers of a particular Subject Security during a certain time period is a "Settlement Class." In this litigation, a large number of separate class actions are raising claims involving similar alleged misconduct by the Defendants, but each involves a separate entity's Subject Security and a different Settlement Class. The Actions have been coordinated for pretrial purposes before Judge Scheindlin. The Stipulation contemplates a single settlement of all of the claims of all the Settlement Classes as against all of the Defendants. The proposed Settlement may not become effective if the Court does not approve the Stipulation with respect to all of the Actions.

The prior proposed settlement had defined the settlement classes to include all purchasers of the Subject Securities, excluding Defendants and others related to or affiliated with the Defendants. At the time the prior settlement was pending before the Court for final approval, the Court's previously issued class certification decision was reversed by the Second Circuit. As the previously proposed settlement classes would have included class members who arguably had knowledge of the alleged fraud, the settlement was withdrawn in light of the Second Circuit's decision and ultimately, new classes were proposed to address the Second Circuit's concerns.

4. Why is there a Settlement?

The Court has not decided in favor of Plaintiffs or Defendants. Instead, Plaintiffs and the Defendants agreed to the Stipulation. This way, the Defendants avoid the cost and risk of a trial and/or appeal, and the Settlement Classes are assured of some recovery. The Lead Plaintiffs and/or proposed Settlement Class Representatives, and Plaintiffs' Executive Committee believe the current Settlement is in the best interest of all members of the Settlement Classes.

**WHO IS IN THE SETTLEMENT**

5. How do I know if I am part of the Settlement?

If you purchased or otherwise acquired the Subject Securities during the Settlement Class Periods then, unless you are excluded from the class by definition, or exclude yourself by your choice, you are a member of one or more of the Settlement Classes.

If you received this Notice accompanied by a yellow color "Frontispiece" page referring to an Action against a particular Issuer, you probably have purchased or otherwise acquired Subject Securities issued by that Issuer. If you

purchased or otherwise acquired Subject Securities during the Class Period shown for that Issuer, then, unless you are excluded by definition, or by choice, you are a member of the Settlement Class in that Action.

Many investors are excluded from the Settlement Classes by definition as a result of the Second Circuit's decision. Specifically, the Settlement Classes exclude each investor (other than a natural person) that received an allocation of Subject Securities from the "institutional pot" in the IPO of any of the Subject Securities ("Excluded Allocants"). If you are not sure whether you are excluded by virtue of having received such an allocation in any of the Subject Securities, you may call 1-800-916-6946 to determine whether you are so excluded.

Also excluded by definition are the following individuals and/or entities: (i) each Defendant that currently is or previously was a named defendant in any of the 309 Actions (hereafter "Named Defendant"); (ii) any attorney who has appeared in the Actions on behalf of a Named Defendant; (iii) members of the immediate family of any Named Defendant, (iv) any entity in which any Excluded Allocant or Named Defendant has or during any of the Settlement Class Periods had a majority interest; (v) the legal representatives, heirs, successors or assigns of any Excluded Allocant or Named Defendant; and (vi) any director, officer, employee, or beneficial owner of any Excluded Allocant or Named Defendant during the Class Periods. Notwithstanding the prior sentence, a person shall not be excluded from the Settlement Classes merely by virtue of his, her or its beneficial ownership of the securities of a publicly-traded Excluded Allocant or Named Defendant.

If you now request to exclude yourself (see question 11 below for information on how to exclude yourself from all of the Settlement Classes), you will be excluded by your choice.

6. What if I am still not sure if I am included?

If you are still not sure whether you are included, you can ask for free help. You can call 1-800-916-6946.

#### **THE SETTLEMENT BENEFITS — WHAT YOU GET**

7. What does the Settlement provide as to how much my payment will be?

The Stipulation provides a total \$586 Million Settlement Fund in exchange for the settlement and dismissal of all the Actions. Plaintiffs' Executive Committee, in consultation with their experts, has proposed class-wide designations (the "Designation Amounts") as among each of the Settlement Classes. See the FRONTISPIECE for your Action's Designation or see Schedule 2 column entitled "PSLRA Stmt. Of Gross Recovery" attached hereto. These Designation Amounts were primarily determined based upon a damage methodology applied consistently across all 309 cases. Defendants would only agree to resolve the Action as a global settlement. Thus, every single Action has to be settled and requires Court approval of that settlement, before the settlement of all of the other Actions can move forward. In this context, the settlement has a unitary nature, with each Settlement being dependent upon all other Settlements. Thus, with certain relevant adjustments described below, the parties are proposing a minimum designation from the Settlement Fund of \$300,000 per case in this settlement. As a result, in instances in which the consistently applied damage methodology resulted in a total designation amount of less than \$300,000 for a particular action, the Designation Amount for that particular action was increased to \$300,000, such that the minimum Designation Amount in any case is \$300,000. This "floor" designation was applied in 35 cases, resulting in total additional designations (to those cases) of \$3,925,139, over and above the Designation Amounts resulting from the damage methodology. The effect on other cases is *de minimis*, at most amounting to a reduction of Designation Amounts of less than seven tenths of one percent (0.7%).

In general, an individual Action's Designation Amount, less a proportionate amount of any approved attorneys' fees and expenses (including estimated notice and administration expenses) and PSLRA Award Requests (the "Net Designation Amount"), will be shared among all Settlement Class Members in that individual Action who send in valid Proof of Claim forms in accordance with the instructions set forth herein ("Authorized Claimants").<sup>3</sup>

<sup>3</sup> In the highly unlikely event that a proposed Net Designation Amount were to exceed the actual amount of the Recognized Claims of all Authorized Claimants in an individual Action, any excess will be re-directed to satisfy Recognized Claims of Authorized Claimants in the other Actions. For example, if Total Recognized Claims of all Authorized Claimants in the Accelerated Networks Action is \$500,000, whereas the Net Designation Amount is \$606,634.28 (see Schedule 2 column entitled "PSLRA Stmt. Of Gross

In no event, absent termination of the Settlement, shall any Settlement funds be returned to Defendants.

Your share of any Net Designation Amounts will depend on the total Recognized Claims represented by the valid Proof of Claim forms that Settlement Class Members send in with respect to the Action involving that Issuer, how many of that Issuer's Subject Securities you purchased or otherwise acquired during the Class Period for that Action, how much you paid for the Issuer's Subject Securities, and when you bought and whether or when you sold them, and if so for how much you sold them.

You can calculate your Recognized Claim with respect to your purchases of the Subject Securities of each Issuer in accordance with the formula shown below in the Plan of Allocation and utilizing the artificial inflation tables set forth on the Settlement's website at [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com). An example has been provided in connection with the Plan of Allocation description set forth below at page 16. While it is possible depending upon the overall amount of claims that are filed by Authorized Claimants, it is unlikely that you will get a payment for all of your Recognized Claim in any of the Actions given Plaintiffs' preliminary estimate of potential trial damages in each Action. Prior to any overflows or underfunded Recognized Losses being calculated, the payment you receive from each Action generally will be equal to your Recognized Claim divided by the total of everyone's Recognized Claims in that Action, multiplied by the Net Designation Amount. See the Plan of Allocation beginning on page 14 for more information on your Recognized Claim.

### **HOW YOU GET A PAYMENT — SUBMITTING A PROOF OF CLAIM FORM**

8. How can I get a payment?

To qualify for a payment, you must submit a Proof of Claim form. A Proof of Claim form is being circulated with this Notice. You may also get a Proof of Claim form on the Internet at [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com). You can submit a Proof of Claim electronically on line, or by completing the paper form. Read the instructions carefully. Either way you will need to fill out the Proof of Claim form and include all the required documents. The paper form must be postmarked no later than, and the electronic form must be electronically submitted, no later than **December 10, 2009**.

9. When would I get my payment?

The Court will hold a hearing on **September 10, 2009**, at 4:30 p.m., to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals afterwards. It is uncertain whether and when such appeals will be adjudicated. It also takes time for all the Proofs of Claim to be processed. Please be patient.

10. What am I giving up to stay in a Settlement Class?

You can choose to remain in all, some or none of the Settlement Classes in which you are eligible to be a member. If you choose to stay in a Settlement Class in a particular Action, you cannot bring (or continue) your own separate lawsuit or arbitration against the Protected Persons<sup>4</sup> in that Action with respect to the Settled Claims.<sup>5</sup> If you are

Recovery" (\$1,172,581.70) less Schedule 2 column entitled "PSLRA Stmt. Of Fees Expenses & PSLRA Award Requests" (\$565,947.43)), the excess of the Net Designation Amount over the Total Recognized Claims (\$106,634.28) will flow into a pot to be combined with other excesses and will be utilized to pay Total Recognized Claims in other Actions, until such time as Total Recognized Claims have been paid in full in all of the Actions. If, on the other hand, the Accelerated Networks Action is one of the cases in which the Total Recognized Claims of all Authorized Claimants exceeds the Net Designation Amount, the Accelerated Networks Action would be entitled to receive a share of the pot of excess Net Designation Amounts, if any are available from the other Actions.

In addition, in the even more unlikely circumstance that if, after all Recognized Claims of Authorized Claimants in all Settlement Classes have been paid off in their entirety, there still exists certain excess Net Designation Amounts that have yet to be used, these unused amounts will be distributed proportionally to all Authorized Claimants in all Settlement Classes based upon any remaining "Unpaid Market Losses" (as defined in the Plan of Allocation below) they incurred during the Class Periods.

<sup>4</sup> As defined in the Stipulation, "**Protected Persons**" means all of the Issuers, Underwriters, Insurers, and the issuers and underwriters in the IPOs and Other Charged Offerings at issue in the IPO Litigation, whether or not named as defendants in any of the Actions, and their present and former parents, subsidiaries, and affiliates, and their respective officers, directors, agents, attorneys and employees of the foregoing, acting in such capacities or named as defendants in the IPO Litigation by reason of their status as such,

a Settlement Class Member with respect to a particular Action, all of the Court's orders in that Action will apply to you and legally bind you. If the Settlement is approved, your Settled Claims against the Protected Persons in that Action will be released.

If you have previously commenced, or are thinking of commencing against any person or entity (including, without limitation, brokerage firms and stock analysts) your own individual lawsuit or arbitration proceeding that raises any Settled Claims, you should consult with, and seek legal advice from, your individual attorney before deciding whether to remain as a Settlement Class Member or to exclude yourself from the Settlement Classes.

### **EXCLUDING YOURSELF FROM A SETTLEMENT CLASS**

If you do not want to remain a member of a Settlement Class and/or if you want to keep any rights you may have to individually assert or continue to assert any Settled Claims against any of the Protected Persons (including by way of lawsuit or arbitration), then you must take steps to exclude yourself from the Settlement Class. This is sometimes referred to as "opting out" of the class. Defendants may withdraw from and terminate the Settlement if putative Class Members who purchased or otherwise acquired in excess of a certain amount of Subject Securities exclude themselves from the Settlement Classes.

11. How do I exclude myself from the Settlement?

To exclude yourself from a Settlement Class, you must send a letter by mail saying that you want to be excluded from the particular Settlement Class. Your letter must be signed and clearly indicate your name, address and telephone number and identify any Settlement Class from which you want to be excluded. In the absence of your identifying the Settlement Class or Classes from which you want to be excluded, the Court will presume that you wish to be excluded from all Settlement Classes. As a result, if that is not your intent it is imperative that you identify the particular Settlement Class from which you would like to exclude yourself. You should also provide the date(s), price(s), and number(s) of Subject Securities you purchased (and sold, if any) during the Settlement Class Period(s) for the Settlement Class(es) from which you want to be excluded. You must mail your exclusion request postmarked no later than **August 10, 2009** to:

Initial Public Offering Securities Litigation Exclusions  
c/o The Garden City Group, Inc.  
Claims Administrator  
P.O. Box 9294  
Dublin, OH 43017-4694

You cannot exclude yourself by telephone or by e-mail.

If you previously requested exclusion in connection with the 2005 proposed settlement (which settlement was terminated), that request related only to that settlement. Accordingly, if you want to be excluded from the current Settlement Classes, you need to request exclusion in the manner described above.

If you exclude yourself from a Settlement Class: (i) you cannot object to the settlement with regard to that Settlement Class; (ii) you will not be legally bound by anything that happens in that Settlement Class; (iii) you will not get

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including but not limited to Individual Defendants and Former Individual Defendants, including Issuer Directors or Officers, Individual Defendants and Former Individual Defendants associated with any Bankrupt Issuers, and each of their respective predecessors, successors and assigns. Notwithstanding any other provision herein, Protected Persons shall include all underwriters for all the IPOs and Other Charged Offerings at issue in the IPO Litigation.

<sup>5</sup> **"Settled Claims"** means any and all claims (including but not limited to claims under Section 11 of the Securities Act, or Section 10(b) or Section 16(b) of the Exchange Act, or any rules promulgated under any such section or Act, or claims under state statutes or common law) that were, could have been or might have been asserted against any or all of the Protected Persons in the Actions or in any other proceedings, that arise out of, are based upon or relate to the conduct alleged to be wrongful in the Actions. Notwithstanding anything herein to the contrary, except for the Actions, Settled Claims do not include any pending litigations and arbitrations against any Defendant as of the date of execution of the Stipulation, or cases where the sole assertion in support of the defense of release of such claim in such other proceeding is that such claim involves the same securities or securities laws at issue in the Action, or the same documents (including Registration Statements and Prospectuses) challenged in such Action; provided, however, that the Protected Persons shall retain all rights, claims and defenses in such other proceeding, including but not limited to those related to causation, materiality, *scienter* and damages.

any payment from the Settlement with respect to that particular Settlement Class; and (iv) you may be able to sue or arbitrate against (or continue to sue or arbitrate against) the Protected Persons with respect to the claims at issue in the particular Action from which you excluded yourself.

12. If I do not exclude myself, can I sue the Protected Persons for the same thing later?

No. Unless you exclude yourself, you give up any rights to sue or arbitrate against the Protected Persons, including the Defendants, for any Settled Claims in a particular Action. If you have a pending lawsuit or arbitration against any of the Defendants or Protected Persons, speak to your lawyer in that case immediately. Remember, the exclusion deadline is **August 10, 2009**.

13. If I exclude myself, can I get money from the Settlement?

No. You will not be entitled to any share of the ultimate Settlement proceeds payable to the Settlement Classes from which you exclude yourself.

### **THE LAWYERS REPRESENTING YOU**

14. Do I have a lawyer in this case?

The Court has appointed a Plaintiffs' Executive Committee consisting of six law firms to represent all Settlement Class Members. The members of Plaintiffs' Executive Committee are identified on page 3 above, under the heading "Further Information." If you want to be represented in this litigation by your own counsel, you may hire one at your own expense, and you may appear in this litigation through your own counsel.

15. How will the lawyers be paid?

In the more than 8 years that this litigation has been pending, Plaintiffs' Counsel has not been paid any fees and have advanced or incurred millions in expenses without reimbursement. Plaintiffs' Counsel are moving the Court to award attorneys' fees not to exceed one-third (33 $\frac{1}{3}$ %) of the Total Designation Amount in each Action, plus interest earned at the same net rate as the Gross Settlement Fund. The requested attorneys' fees represent substantially less than Plaintiffs' Counsel's normal billable hourly fees incurred in this litigation. In this type of litigation it is customary for counsel to be awarded a percentage of the common fund recovery as their attorneys' fees.

During the pendency of the Actions, Plaintiffs' Counsel has expended or incurred approximately \$56 Million of expenses in connection with the investigation, prosecution and resolution of the Actions, for which reimbursement will be sought, plus interest. In addition, Plaintiffs' Counsel estimates that Proposed Settlement Class Representatives and/or Lead Plaintiffs will apply to the Court for PSLRA Award Requests in an amount not to exceed \$4 Million in the aggregate should they choose to make an application. Lastly, Plaintiffs' Executive Committee estimates that an additional \$27.5 Million will be incurred by the Claims Administrator in notifying the millions of potential Settlement Class Members and in processing claim forms filed in connection with the proposed Settlement.

The accompanying Schedule 2 also shows the requested attorneys' fees and expenses for each of the Actions, including any PSLRA Award Requests and the notice and administration expenses, both in total (see column entitled "PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests") and, based on the number of Subject Securities estimated to be damaged in each Settlement Class, on average (see column entitled "PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests Per Damaged Subject Security").

The motion for attorneys' fees will be submitted on behalf of Plaintiffs' Executive Committee and all of Plaintiffs' Counsel identified at **[www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com)**. Certain applicants for attorneys' fees have entered into fee

sharing agreements with other attorneys identified on the *[iposecuritieslitigation.com](http://iposecuritieslitigation.com)* website. These agreements will have no bearing on the overall fee to be requested or awarded and will not increase the amount of total fees sought or awarded by the Court.

Because this case has been litigated on a global basis, the attorneys' fees and expenses, the notice and administration expenses, and the PSLRA Award Requests shall be allocated among the Actions in accordance with the relative Designation Amounts (see Schedule 2 column entitled "PSLRA Stmt. Of Gross Recovery").

Plaintiffs' Executive Committee, without further notice to the Settlement Classes, will subsequently apply to the Court for payment of the Claims Administrator's fees and expenses incurred in connection with giving notice, administering the Settlement and distributing the Settlement's proceeds to the members of the Settlement Classes.

**OBJECTING TO THE SETTLEMENT**

You can tell the Court that you do not agree with the Settlement or some part of it.

16. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member and do not exclude yourself from that Settlement Class, you can object to the Settlement if you do not like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to the proposed Settlement in the In re Initial Public Offering Litigation, 21 MC 92 (SAS). Be sure to include your name, address, telephone number, and your signature, identify the security or securities you purchased, and state the reasons you object to the Settlement. Mail your objection to each of the following addresses postmarked no later than **August 10, 2009**:

COURT	COUNSEL FOR THE SETTLEMENT CLASSES	DEFENDANTS' LIAISON COUNSEL
Clerk of the Court United States District Court Southern District of New York 500 Pearl Street New York, NY 10007	Rebecca M. Katz, Esq. Bernstein Liebhard LLP 10 East 40th Street New York, NY 10016  - and -  Ariana J. Tadler, Esq. Milberg LLP One Penn Plaza New York, NY 10119	Jack C. Auspitz, Esq. Morrison & Foerster LLP 1290 Avenue of the Americas New York, NY 10104  - and -  Gandolfo V. DiBlasi, Esq. Sullivan & Cromwell, LLP 125 Broad Street New York, NY 10004

17. What's the difference between objecting and excluding yourself?

Objecting is simply telling the Court that you do not like the Settlement. You can object in a particular Action only if you are a member of the Settlement Class in that Action and do not exclude yourself from that Settlement Class. Excluding yourself is telling the Court that you do not want to be part of one or more of the Settlement Classes. If you exclude yourself from all of the Settlement Classes of which you would otherwise be a member, then you may not object to the Settlement in any of the Actions. If you exclude yourself from some but not all of the Settlement Classes of which you would otherwise be a member, then you may object to the Settlement in only those Actions for which you have not excluded yourself.

**THE COURT'S FAIRNESS HEARING**

The Court will hold a hearing to decide whether or not to approve the Settlement. You may attend and you may ask to speak, but you do not have to.

18. When and where will the Court hold a hearing to decide whether or not to approve the Settlement?

The Court will hold a Settlement Fairness Hearing at 4:30 p.m., on **September 10, 2009**, at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007. At this hearing the Court will consider whether the Settlement and Plan of Allocation are fair, reasonable and adequate and whether the application for fees and expenses should be approved. If there are objections, the Court will consider them. After the hearing, the Court will decide whether or not to approve the Settlement, the Plan of Allocation and the application for fees and expenses. We do not know how long it will take for the Court to rule on these issues.

19. Do I have to come to the hearing?

No. Plaintiffs' Executive Committee will answer questions the Court may have on behalf of the Settlement Classes. But, you are welcome to come at your own expense. If you mail an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time and in accordance with the procedures set forth above, the Court will consider it. If you wish, you may also ask your own lawyer to attend on your behalf, at your expense.

20. May I speak at the hearing?

You may ask the Court for permission to speak at the Settlement Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear at the In re Initial Public Offering Litigation, 21 MC 92 (SAS) Settlement Fairness Hearing." Be sure to include your name, address and telephone number, identify the Subject Securities you purchased, and sign the letter. Your Notice of Intention to Appear must be postmarked no later than **August 10, 2009**, and be sent to the Clerk of the Court, Counsel for the Settlement Classes, and Defendants' Liaison Counsel, at the five addresses shown on page 12, in question 16. If you have your own lawyer, and you want your lawyer to attend and speak on your behalf at the hearing, you should put this in your Notice of Intention to Appear. Note that neither you nor your lawyer may speak at the hearing if you exclude yourself.

#### **IF YOU DO NOTHING**

21. What happens if I do not do anything at all?

If you do not do anything, you will not receive any money from this Settlement and you will be precluded from starting a lawsuit or arbitration, continuing with a lawsuit or arbitration, or being part of any other lawsuit or arbitration against the Defendants and the other Protected Persons concerning the Settled Claims in this Action, ever again. To receive a recovery you must submit a Proof of Claim form (see question 8). To start, continue or be a part of any other lawsuit or arbitration against the Defendants and the other Protected Persons concerning the Settled Claims in a particular Action, you must exclude yourself from the Settlement Class in that action. (see question 11).

#### **GETTING MORE INFORMATION**

22. Are there more details about the Settlement?

This notice contains only a summary of certain provisions in the Settlement. The full terms and provisions of the Settlement are contained in the Stipulation. You can view or download a copy of the Stipulation and the exhibits thereto by visiting **[www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com)**. Copies of these documents may also be acquired from the Claims Administrator, The Garden City Group, Inc., at the address shown below. The Clerk of the Court, located at 500 Pearl Street, New York, New York, maintains files containing the documents filed in the IPO Litigation which are available for inspection or copying during the Court's business hours.

You can call 1-800-916-6946 toll free; write to Initial Public Offering Securities Litigation, c/o The Garden City Group, Inc., Claims Administrator, P.O. Box 9352, Dublin, OH 43017-4252; or visit the Internet website at [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com), where you will find copies of the Stipulation and the exhibits thereto.

### **PLAN OF ALLOCATION OF NET SETTLEMENT FUND AMONG SETTLEMENT CLASS MEMBERS**

The \$586 Million Cash Settlement Amount and the interest earned thereon shall be the Gross Settlement Fund. The Gross Settlement Fund, less all taxes, approved costs, fees and expenses (the "Net Settlement Fund") shall be allocated first among the Actions in proportion to the Designation Amounts shown in Schedule 2 attached hereto in the column entitled "PSLRA Stmt. Of Gross Recovery". The Designation Amounts, less their proportionate shares of the taxes, approved attorneys' fees and expenses (including attorney expenses, PSLRA Award Requests and notice and administration expenses) (the "Net Designation Amounts") shall be distributed to Authorized Claimants.

The Claims Administrator shall determine each Authorized Claimant's *pro rata* share of the respective Net Designation Amounts based upon each Authorized Claimant's "Recognized Claim" from purchases or acquisitions of the Subject Securities of the Issuer associated with the particular Net Designation Amount. Recognized Claims of Authorized Claimants will be totaled and compared to Net Designation Amounts. Any excess Net Designation Amount will flow into a pot to be combined with excess Net Designation Amounts from all other Actions (amounts over and above total Recognized Claims in those Actions) and will be utilized to pay under-funded Recognized Claims in all Actions. As a result, no Authorized Claimants will be paid more than their "Recognized Claim", until all Authorized Claimants in all Settlement Classes have been paid their total Recognized Claim. Once all Recognized Claims are paid in all Settlement Classes, to the extent there still exists excess funds from particular Net Designation Amounts, these excess funds shall be pooled together and distributed to all Authorized Claimants in proportion to each Authorized Claimant's "Unpaid Market Loss" (defined below) to the Total Unpaid Market Losses of all Authorized Claimants. In the unlikely event that following the payment of all market losses of Authorized Claimants, there still remains excess funds from particular Net Designation Amounts, these excess funds shall be distributed on a per Authorized Claimant basis to all Authorized Claimants.

The Recognized Claim formula is not intended to be an estimate of the amount of what a Class Member might have been able to recover after a trial; nor is it an estimate of the amount that will be paid to Authorized Claimants pursuant to the Settlement. The Recognized Claim formula is the basis upon which the Net Designation Amounts will be proportionately allocated to the Authorized Claimants.

For purposes of calculating claims, the following terms shall have the indicated meanings:

**"PPP"** means the purchase price paid for a Subject Security, and it includes the purchase price and any brokerage commissions or other charges incurred on the purchase.

**"SPR"** means the sales proceeds received for a Subject Security, and it is the net amount received for the security sold, after deduction of brokerage commissions and other sales charges incurred on the sale.

**"IPS"** means the amount of alleged inflation in the price of a Subject Security, on the day of its purchase or sale, as shown in the charts of alleged inflation for the Subject Securities and Class Periods available at [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com).

**"HPS" or "Holding Value"** means the holding price per Subject Security, calculated as the closing price of the Subject Security as of December 6, 2000, which price shall be utilized in calculating Overall Market Loss for Subject Securities that are purchased during the Class Periods and still held as of the close of trading on December 6, 2000. These prices are available at [www.iposecuritieslitigation.com](http://www.iposecuritieslitigation.com).

For each Subject Security purchased during the Class Period, "Recognized Claims" will be calculated for purposes of the Settlement as follows:

(1) If the Subject Security purchased or otherwise acquired during the applicable Class Period was sold at a loss<sup>1</sup> on or prior to December 6, 2000, then an Authorized Claimant's "Recognized Claim" from such Subject Security

<sup>1</sup> Subject Securities purchased during a Settlement Class Period and sold for a gain (or no loss) shall have zero (\$0.00) Recognized Claim and zero (\$0.00) Market Loss.

shall mean **the lesser of: (a)** the **IPS** on the date of purchase, minus the **IPS** on the date of sale, times the number of Subject Securities purchased and sold; **or (b)** the **PPP** minus the **SPR**, times the number of Subject Securities so purchased and sold.

(2) If the Subject Securities purchased or otherwise acquired during the Class Period were still held as of the close of trading on December 6, 2000, then an Authorized Claimant's "Recognized Claim" from such Subject Security shall mean the **IPS** on the date of purchase times the number of Subject Securities purchased during the Class Period for the Subject Securities so purchased and held.

In the event a Class Member has more than one purchase or sale of an Issuer's Subject Security during that Issuer's relevant Class Period, all purchases and sales shall be matched on a Last In First Out ("LIFO") basis. A purchase or sale of any Issuer's Subject Security shall be deemed to have occurred on the "contract" or "trade" date as opposed to the "settlement" or "payment" date. Absent written documentation to the contrary, any Subject Securities acquired in a merger shall be valued for purpose of determining a purchase price as of the date of closing of the merger. The receipt or grant by gift, devise or operation of law of any Issuer's Subject Security during the Class Period shall NOT be deemed a purchase or sale of such Issuer's Subject Security for the calculation of an Authorized Claimant's Recognized Claim nor shall it be deemed an assignment of any claim relating to the purchase of such Subject Securities unless specifically provided in the instrument of gift or assignment.

Each Authorized Claimant shall *first* be allocated a *pro rata* share of the various Net Designation Amounts (up to the full amount of their Recognized Claim on that Subject Security) based on his, her or its Recognized Claim from transactions in the applicable Issuer's Subject Security as compared to the total Recognized Claims of all Authorized Claimants from transactions in that Issuer's Subject Security. The minimum distribution amount to an Authorized Claimant with a valid Recognized Claim from transactions in an Issuer's common stock shall be \$10.00.

In the event that the Total Recognized Claims and minimum distribution amounts with respect to any Subject Security is less than the Net Designation Amount with respect to that Subject Security, the excess of the Net Designation Amount will *next* be distributable to all Authorized Claimants whose Net Designation Amounts are less than the Total Recognized Claims for the other Subject Securities. In the event that all Authorized Claimants are allocated full payments of their Recognized Claims from all Subject Securities from the *first* and *next* allocations as set forth in this and the prior paragraph, then any remaining funds will be distributable to Authorized Claimants *pro rata* based on their "Unpaid Market Losses" (defined below) if any.

For each Subject Security purchased during the Class Period, an Authorized Claimant's "Unpaid Market Loss" will be calculated by adding the "Market Loss" (**PPP** minus **SPR** for Subject Securities sold during the Class Period, or **PPP** minus **HPS** for Subject Securities held as of the close of trading on December 6, 2000) on each transaction that resulted in an actual Recognized Claim for the Authorized Claimant (the total of such Market Losses being their "Overall Market Loss") and by subtracting the Authorized Claimant's Recognized Claim from the Authorized Claimant's Overall Market Loss (resulting in their "Unpaid Market Loss").

Class Members who do not submit acceptable Proofs of Claim will not share in the Settlement proceeds. Class Members who do not either submit a request for exclusion or submit an acceptable Proof of Claim will nevertheless be bound by the Settlement and the Order and Final Judgment of the Court dismissing the Actions.

Distributions will be made to Authorized Claimants after all claims have been processed and after the Court has finally approved the Settlement. If, after the initial distribution, any funds remain un-distributed by reason of un-cashed distributions or otherwise, then, after the Claims Administrator has made reasonable and diligent efforts to have Class Members who are entitled to participate in the distribution of the Net Designation Amounts cash their distributions, any balance remaining in the Net Settlement Fund one (1) year after the initial distribution of such funds shall be re-distributed to Class Members who have cashed their initial distributions and who would receive at least \$10.00 from such re-distribution, after payment of any unpaid costs or fees incurred in administering the Net Designation Amounts for such re-distribution. Such re-distribution will be based *pro-rata* on (i) all Unpaid Recognized Claims (Recognized Claims minus payments made on the initial distribution), or (ii) if there are no Unpaid Recognized Claims, on Unpaid Market Losses, or (iii) if there are no Unpaid Recognized Claims and no Unpaid Market Losses, on a per capita basis. If after six months after such re-distribution any funds shall remain in the Net Settlement Fund, then such balance shall be contributed to non-sectarian, not-for-profit, 501(c)(3) organization(s) designated by Plaintiffs' Executive Committee.

Plaintiffs, Defendants, their respective counsel, and all other Released Parties shall have no responsibility for or liability whatsoever for the investment or distribution of the Settlement Fund, the Net Settlement Fund, the Plan of Allocation or the determination, administration, calculation, or payment of any Proof of Claim or non-performance of the Claims

Administrator, the payment or withholding of taxes owed by the Settlement Fund or any losses incurred in connection therewith.

**EXAMPLE OF PLAN OF ALLOCATION:**

If you purchased 1,000 shares of Airgate PCS at \$100 per share on March 31, 2000, when the inflation per share was \$4.188 and sold these shares at \$30 per share on November 27, 2000, when there was no inflation, your Recognized Claim would be \$4.188 per share or \$4,188 in the aggregate. If Total Recognized Claims of Authorized Claimants in Airgate PCS were \$155,204.78 or less (which was the un-adjusted Net Designation Amount in that Action, before application of the \$300,000 minimum designation), you would receive approximately \$4,188 (which is the full amount of your Recognized Claim). If Total Recognized Claims of Authorized Claimants in Airgate PCS were \$300,000, you would still receive approximately \$4,188. If Total Recognized Claims of Authorized Claimants in Airgate PCS were \$600,000, you would receive approximately \$2,021.34 (representing approximately one half of your Recognized Claim). If Total Recognized Claims of Authorized Claimants in Airgate PCS were \$1,500,000, you would receive approximately \$837.60 (representing approximately one fifth of your Recognized Claim).

**SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES**

If you purchased any of the Subject Securities listed on Schedule 1 during the time periods indicated for such securities for the beneficial interest of a person or organization other than yourself, the Court has directed that, within twenty (20) days of your receipt of this Notice, you either (a) provide the Claims Administrator with lists (preferably in electronic format) of the names and last known addresses of each person or organization for whom or which you purchased any such Subject Securities during such time periods (including an indication of which security (or securities) covered by the Actions was (were) purchased by each such beneficial owner), or (b) request additional copies of this Notice and the appropriate Frontispieces for the particular Subject Securities purchased, which will be provided to you free of charge, and mail copies of the Notice, and appropriate Frontispieces, to your beneficial owners of the securities referred to herein. If you choose to follow alternative procedure (b), the Court has directed that, upon such mailing, you send a statement to the Claims Administrator confirming that the mailing was made as directed.

If you have already performed this task in connection with the now terminated Issuer Defendant Settlement, please confirm that your prior instructions are still applicable and accurate by contacting the Claims Administrator at the address set forth below. Note that the current Settlement involves 11 additional Subject Securities and you should provide information for your beneficiaries who purchased those securities.

You are entitled to reimbursement from the Settlement Fund of your reasonable expenses actually incurred in connection with the foregoing, including reimbursement of postage expense and the cost of ascertaining the names and addresses of beneficial owners. Those expenses will be paid upon request and your submission to the Claims Administrator of proper documentation of such expenses and a certification of compliance. All communications concerning the foregoing should be addressed to the Claims Administrator:

Initial Public Offering Securities Litigation  
c/o The Garden City Group, Inc., Claims Administrator  
P.O. Box 9352  
Dublin, OH 43017-4252  
(800) 916-6946  
E-Mail: [IPOBrokerRequests@gardencitygroup.com](mailto:IPOBrokerRequests@gardencitygroup.com)

Dated: New York, New York  
July 2, 2009

By Order of the Court  
CLERK OF THE COURT

**SCHEDULE 1 -- LIST OF ENTITIES, CLASS PERIODS AND SUBJECT SECURITIES**

**All Class Periods end on December 6, 2000.**

Issuer	Ticker	Class Period Begin	Type of Security*	Issuer	Ticker	Class Period Begin	Type of Security*
1. ACCELERATED NETWORKS INC	(ACCL)	06/22/00	CS	78. E.PIPHANY INC	(EPNY)	09/21/99	CS
2. ACLARA BIOSCIENCES INC	(ACLA)	03/21/00	CS	79. EARTHWEB INC	(EWBX)	11/10/98	CS
3. AETHER SYSTEMS INC	(AETH)	10/20/99	CS	80. EBENX INC	(EBNX)	12/10/99	CS
4. AGENCY.COM LTD	(ACOM)	12/08/99	CS	81. EGAIN COMMUNICATIONS	(EGAN)	09/23/99	CS
5. AGILE SOFTWARE CORP	(AGIL)	08/19/99	CS	82. EL SITIO INTERNATIONAL CORP	(LCTO)	12/09/99	CS
6. AGILENT TECHNOLOGIES INC	(A)	11/17/99	CS	83. E-LOAN INC	(EELN)	06/28/99	CS
7. AIRGATE PCS	(PCSA)	09/27/99	CS	84. ELOQUENT INC	(ELOQ)	02/16/00	CS
8. AIRNET COMMUNICATIONS CORP	(ANCC)	12/06/99	CS	85. ENGAGE TECHNOLOGIES INC	(ENGA)	07/20/99	CS
9. AIRSPAN NETWORKS INC	(AIRN)	07/19/00	CS	86. EQUINIX INC	(EQIX)	08/10/00	CS
10. AKAMAI TECHNOLOGIES INC	(AKAM)	10/28/99	CS	87. ETOYS INC	(ETYSQ)	05/19/99	CS
11. ALAMOSA PCS HOLDINGS	(APCS)	02/03/00	CS	88. EVOLVE SOFTWARE INC	(EVLV)	08/09/00	CS
12. ALLOY ONLINE INC	(ALOY)	05/14/99	CS	89. EXCHANGE APPLICATIONS INC	(EXAP)	12/09/98	CS
13. ANTIGENICS INC	(AGEN)	02/03/00	CS	90. EXFO ELECTRO OPTICAL ENGINEERING INC	(EXFO)	06/30/00	CS
14. APROPOS TECHNOLOGY INC	(APRS)	02/17/00	CS	91. EXPEDIA INC	(EXPE)	11/09/99	CS
15. ARIBA INC	(ARBA)	06/22/99	CS	92. EXTENSITY INC	(EXTN)	01/26/00	CS
16. ASHFORD.COM INC	(ASFD)	09/23/99	CS	93. EXTREME NETWORKS INC	(EXTR)	04/08/99	CS
17. ASIAINFO HOLDINGS	(ASIA)	03/03/00	CS	94. F5 NETWORKS INC	(FFIV)	06/04/99	CS
18. ASK JEEVES INC	(ASKJ)	06/30/99	CS	95. FAIRMARKET INC	(FAIM)	03/13/00	CS
19. ASPECT MEDICAL SYSTEMS INC	(ASPM)	01/27/00	CS	96. FATBRAIN.COM	(FATB)	11/20/98	CS
20. AUDIBLE INC	(ADBL)	07/15/99	CS	97. FINISAR CORP	(FNSR)	11/11/99	CS
21. AUTOBYTEL.COM INC	(ABTL)	03/26/99	CS	98. FIREPEL INC	(FIRE)	02/04/00	CS
22. AUTOWEB.COM INC	(AWEB)	03/22/99	CS	99. FLASHNET COMMUNICATIONS INC	(FLAS)	03/16/99	CS
23. AVANEX CORP	(AVNX)	02/03/00	CS	100. FOCAL COMMUNICATIONS CORP	(FCOM)	07/28/99	CS
24. AVANTGO INC	(AVGO)	09/27/00	CS	101. FOUNDRY NETWORKS INC	(FDRY)	09/27/99	CS
25. AVENUE A INC	(AVEA)	02/28/00	CS	102. FREEMARKETS INC	(FMKT)	12/09/99	CS
26. AVICI SYSTEMS INC	(AVCI)	07/27/00	CS	103. GADZOOX NETWORKS INC	(ZOOX)	07/19/99	CS
27. BACKWEB TECHNOLOGIES	(BWEB)	06/08/99	CS	104. GIGAMEDIA	(GIGM)	02/18/00	CS
28. BE FREE INC	(BFRE)	11/03/99	CS	105. GLOBAL CROSSING	(GBLX)	08/14/98	CS
29. BLUE MARTINI SOFTWARE INC	(BLUE)	07/24/00	CS	106. GLOBESPAN INC	(GSPN)	06/23/99	CS
30. BOOKHAM TECHNOLOGY	(BKHM)	04/11/00	ADS	107. GOTO.COM INC	(GOTO)	06/18/99	CS
31. BOTTOMLINE TECHNOLOGIES INC	(EPAY)	02/12/99	CS	108. GRIC COMMUNICATIONS INC	(GRIC)	12/15/99	CS
32. BRAUN CONSULTING INC	(BRNC)	08/10/99	CS	109. GT GROUP TELECOM	(GTTLB)	03/10/00	CS
33. BREAKAWAY SOLUTIONS INC	(BWAY)	10/05/99	CS	110. HANDSPRING INC	(HAND)	06/20/00	CS
34. BROCADE COMM SYS INC	(BRCD)	05/24/99	CS	111. HIGH SPEED ACCESS CORP	(HSAC)	06/04/99	CS
35. BSQUARE CORP	(BSQR)	10/19/99	CS	112. HOOVER'S INC	(HOOV)	07/21/99	CS
36. BUY.COM INC	(BUYX)	02/07/00	CS	113. IBASIS INC	(IBAS)	11/10/99	CS
37. CACHEFLOW INC	(CFLO)	11/18/99	CS	114. IBEAM BROADCASTING CORP	(IBEM)	05/17/00	CS
38. CALDERA SYSTEMS INC	(CALD)	03/21/00	CS	115. IMANAGE INC	(IMAN)	11/17/99	CS
39. CALICO COMMERCE INC	(CLIC)	10/06/99	CS	116. IMMERSION CORP	(IMMR)	11/12/99	CS
40. CALIPER TECHNOLOGIES CORP	(CALP)	12/14/99	CS	117. IMPSAT FIBER NETWORKS	(IMPT)	02/01/00	CS
41. CAPSTONE TURBINE CORP	(CPST)	06/28/00	CS	118. INFORMATICA CORP	(INFA)	04/28/99	CS
42. CARRIER 1 INTERNATIONAL	(CARRLF)	02/23/00	ADS	119. INFORMAX INC	(INMX)	10/02/00	CS
43. CENTRA SOFTWARE INC	(CTRA)	02/02/00	CS	120. INFORTE CORP	(INFT)	02/17/00	CS
44. CHARTERED SEMICONDUCTOR MNFG	(CHRT)	10/29/99	ADS	121. INRANGE TECHNOLOGIES CORP	(INRG)	09/21/00	CS
45. CHINA.COM CORP	(CHINA)	07/12/99	CS	122. INSWEB CORP	(INSW)	07/22/99	CS
46. CHOICE ONE COMMUNICATIONS	(CWON)	02/16/00	CS	123. INTEGRATED INFORMATION SYSTEMS	(IISX)	03/17/00	CS
47. CHORDIANT SOFTWARE INC	(CHRD)	02/15/00	CS	124. INTEGRATED TELECOM EXPRESS INC	(ITXI)	08/17/00	CS
48. CLARENT CORP	(CLRN)	07/01/99	CS	125. INTERNAP NETWORK SERVICES CORP	(INAP)	09/29/99	CS
49. CLICK COMMERCE INC	(CKCM)	06/26/00	CS	126. INTERNET CAPITAL GROUP INC	(ICGE)	08/04/99	CS/CO
50. CNET NETWORKS (ZIFF-DAVIS)	(CNET)	03/30/99	CS	127. INTERNET INFRASTRUCTURE HOLDRS	(IIH)	02/24/00	DR
51. COBALT NETWORKS INC	(COBT)	11/05/99	CS	128. INTERNET INITIATIVE JAPAN	(IIJI)	08/03/99	ADS
52. COMMERCE ONE INC	(CMRC)	07/01/99	CS	129. INTERSIL HOLDING CORP	(ISIL)	02/24/00	CS
53. COMMTOUCH SOFTWARE LTD	(CTCH)	07/13/99	CS	130. INTERTRUST TECHNOLOGIES CORP	(ITRU)	10/26/99	CS
54. CONCUR TECHNOLOGIES INC	(CNQR)	12/16/98	CS	131. INTERWAVE COMMUNICATIONS INT'L LTD	(IWAV)	01/28/00	CS
55. COPPER MOUNTAIN NETWORKS INC	(CMTN)	05/12/99	CS	132. INTERWOVEN INC	(IWOV)	10/07/99	CS
56. CORIO INC	(CRIO)	07/20/00	CS	133. INTRAWARE INC	(ITRA)	02/25/99	CS
57. CORVIS CORP	(CORV)	07/27/00	CS	134. IPRINT.COM INC	(IPRT)	03/07/00	CS
58. COSINE COMMUNICATIONS INC	(COSN)	09/25/00	CS	135. ITXC CORP	(ITXC)	09/27/99	CS
59. COVAD COMMUNICATIONS GROUP INC	(COVD)	01/21/99	CS	136. IVILLAGE INC	(IVIL)	03/18/99	CS
60. CRITICAL PATH INC	(CPHT)	03/29/99	CS	137. IXL ENTERPRISES INC	(IIXL)	06/02/99	CS
61. CYBERSOURCE CORP	(CYBS)	06/23/99	CS	138. JAZZTEL P.L.C.	(JAZZ)	12/09/99	ADS
62. DALEEN TECHNOLOGIES INC	(DALN)	10/01/99	CS	139. JNI CORP	(JNIC)	10/26/99	CS
63. DATA RETURN CORP	(DRTN)	10/27/99	CS	140. JUNIPER NETWORKS	(JNPR)	06/24/99	CS
64. DECODE GENETICS	(DCGN)	07/18/00	CS	141. KANA SOFTWARE	(KANA)	09/22/99	CS
65. DELANO TECHNOLOGY CORP	(DTEC)	02/09/00	CS	142. KEYNOTE SYSTEMS INC	(KEYN)	09/24/99	CS
66. DELTATHREE.COM INC	(DDDC)	11/22/99	CS	143. KOREA THRUNET	(KTHUF)	11/17/99	CS
67. DIGIMARC CORP	(DMRC)	12/02/99	CS	144. LANTE CORP	(LNTE)	02/10/00	CS
68. DIGITAL IMPACT INC	(DIGI)	11/22/99	CS	145. LATITUDE COMMUNICATIONS INC	(LATD)	05/06/99	CS
69. DIGITAL INSIGHT CORP	(DGIN)	09/30/99	CS	146. LEXENT INC	(LXNT)	07/27/00	CS
70. DIGITAL ISLAND INC	(ISLD)	06/29/99	CS	147. LIBERATE TECHNOLOGIES	(LBRT)	07/27/99	CS
71. DIGITAL RIVER INC	(DRIV)	08/11/98	CS	148. LIONBRIDGE TECHNOLOGIES	(LIOX)	08/20/99	CS
72. DIGITALTHINK INC	(DTHK)	02/24/00	CS	149. LIQUID AUDIO INC	(LQID)	07/08/99	CS
73. DIGITAS INC	(DTAS)	03/13/00	CS	150. LOOKSMART LTD	(LOOK)	08/19/99	CS
74. DIVERSA CORP	(DVSA)	02/14/00	CS	151. LOUDEYE TECHNOLOGIES INC	(LOUD)	03/15/00	CS
75. DOUBLECLICK INC	(DCLK)	12/11/98	CS	152. MANUFACTURERS SERVICES LTD	(MSV)	06/23/00	CS
76. DRKOOOP.COM INC	(KOOOP)	06/08/99	CS	153. MARIMBA INC	(MRBA)	04/29/99	CS
77. DRUGSTORE.COM INC	(DSCM)	07/27/99	CS	154. MARKETWATCH.COM INC	(MKTW)	01/15/99	CS

\* CS = Common Stock    ADS = American Depositary Shares    DR = Depository Receipts    CO = Call Options

**SCHEDULE 1 -- LIST OF ENTITIES, CLASS PERIODS AND SUBJECT SECURITIES (CONTINUED)**

**All Class Periods end on December 6, 2000.**

Issuer	Ticker	Class Period Type of Begin Security*	Issuer	Ticker	Class Period Type of Begin Security*
155. MARTHA STEWART LIVING OMNIMEDIA INC	(MSO)	10/18/99 CS	233. REGENT COMMUNICATIONS INC	(RGCJ)	01/24/00 CS
156. MARVELL TECHNOLOGY GROUP LTD	(MRVL)	06/26/00 CS	234. REGISTER.COM INC	(RCOM)	03/02/00 CS
157. MATRIXONE INC	(MONE)	02/29/00 CS	235. REPEATER TECHNOLOGIES INC	(RPTR)	08/08/00 CS
158. MAXYGEN INC	(MAXY)	12/15/99 CS	236. RESONATE INC	(RSNT)	08/02/00 CS
159. MCAFEE.COM CORP	(MCAF)	12/01/99 CS	237. RETEK INC (HNC SOFTWARE INC)	(RETK)	11/17/99 CS
160. MCDATA CORP (EMC CORP)	(MCDT)	08/09/00 CS	238. RHYTHMS NETCONNECTIONS	(RTHM)	04/06/99 CS
161. MCK COMMUNICATIONS INC	(MCKC)	10/22/99 CS	239. ROWECOM INC	(ROWE)	03/08/99 CS
162. MEDIAPLEX INC	(MPLX)	11/19/99 CS	240. SABA SOFTWARE INC	(SABA)	04/06/00 CS
163. MEDICALOGIC INC (MEDSCAPE INC)	(MDLI)	12/09/99 CS	241. SATYAM INFOWAY LTD	(SIFY)	10/18/99 ADS
164. MERRILL LYNCH B2B INTERNET HOLDRS	(BHH)	02/23/00 DR	242. SCIQUEST.COM INC	(SQST)	11/19/99 CS
165. METASOLV SOFTWARE INC	(MSLV)	11/17/99 CS	243. SELECTICA INC	(SLTC)	03/09/00 CS
166. METAWAVE COMMUNICATIONS CORP	(MTWV)	04/26/00 CS	244. SEQUENOM INC	(SQNM)	01/31/00 CS
167. MICROTUNE INC	(TUNE)	08/04/00 CS	245. SILICON IMAGE INC	(SIMG)	10/05/99 CS
168. MODEM MEDIA. POPPE TYSON INC	(MMPT)	02/04/99 CS	246. SILICON LABORATORIES INC	(SLAB)	03/23/00 CS
169. MP3.COM INC	(MPPP)	07/20/99 CS	247. SILVERSTREAM SOFTWARE INC	(SSSW)	08/16/99 CS
170. MULTEX.COM INC	(MLTX)	03/17/99 CS	248. SIRENZA MICRODEVICES	(SMDI)	05/25/00 CS
171. NAVISITE INC	(NAVI)	10/22/99 CS	249. SMARTDISK CORP	(SMDK)	10/06/99 CS
172. NEOFORMA.COM INC	(NEOF)	01/24/00 CS	250. SMTX CORP	(SMTX)	07/20/00 CS
173. NET PERCEPTIONS INC	(NETP)	04/23/99 CS	251. SONICWALL INC	(SNWL)	11/10/99 CS
174. NET2000 COMMUNICATIONS INC	(NTKK)	03/06/00 CS	252. SONUS NETWORKS INC	(SONS)	05/24/00 CS
175. NET2PHONE INC	(NTP)	07/30/99 CS	253. SPANISH BROADCASTING SYSTEM	(SBSA)	10/27/99 CS
176. NETCENTIVES INC	(NCNT)	10/13/99 CS	254. STAMPS.COM INC	(STMP)	06/25/99 CS
177. NETRATINGS INC	(NTRT)	12/08/99 CS	255. STARMEDIA NETWORK INC	(STRME)	05/25/99 CS
178. NETRO CORP	(NTRO)	08/18/99 CS	256. STORAGENETWORKS INC	(STOR)	06/29/00 CS
179. NETSILICON INC (OSICOM TECH)	(NSIL)	09/15/99 CS	257. STRATOS LIGHTWAVE INC	(STLW)	06/26/00 CS
180. NETSOLVE INC	(NTSL)	09/29/99 CS	258. SUPPORT.COM INC	(SPRT)	07/18/00 CS
181. NETWORK ENGINES INC	(NENG)	07/13/00 CS	259. SWITCHBOARD INC	(SWBD)	03/02/00 CS
182. NETWORK PLUS CORP	(NPLS)	06/29/99 CS	260. SYCAMORE NETWORKS INC	(SCMR)	10/21/99 CS
183. NETZERO INC	(NZRO)	09/23/99 CS	261. TALARIAN CORP	(TALR)	07/20/00 CS
184. NEW FOCUS INC	(NUFO)	05/17/00 CS	262. TELAXIS COMMUNICATIONS CORP	(TLXS)	02/01/00 CS
185. NEXT LEVEL COMMUNICATIONS	(NXTV)	11/09/99 CS	263. TELECOMMUNICATION SYSTEMS INC	(TSYS)	08/08/00 CS
186. NEXTCARD INC	(NXCD)	05/14/99 CS	264. TELECORP PCS INC	(TLCP)	11/22/99 CS
187. NEXTEL PARTNERS INC	(NXTP)	02/22/00 CS	265. TENFOLD CORP	(TENF)	05/20/99 CS
188. NIKU CORP	(NIKU)	02/28/00 CS	266. TERRA NETWORKS	(TRLY)	11/17/99 ADS
189. NORTHPOINT COMMUNICATIONS GRP	(NPNQE)	05/05/99 CS	267. THEGLOBE.COM INC	(TGLO)	11/12/98 CS
190. NUANCE COMMUNICATIONS INC	(NUAN)	04/12/00 CS	268. THESTREET.COM	(TSCM)	05/10/99 CS
191. OMNISKY CORP	(OMNY)	09/20/00 CS	269. TIBCO SOFTWARE INC	(TIBX)	07/13/99 CS
192. OMNIVISION TECHNOLOGIES INC	(OVTI)	07/14/00 CS	270. TICKETMASTER ONLINE-CITYSEARCH	(TMCS)	12/02/98 CS
193. ON SEMICONDUCTOR CORP	(ONNN)	04/27/00 CS	271. TICKETS.COM	(TIXX)	11/03/99 CS
194. ONI SYSTEMS CORP	(ONIS)	05/31/00 CS	272. TIPPINGPOINT TECHNOLOGIES	(TPTI)	03/17/00 CS
195. ONVIA.COM INC	(ONVI)	02/29/00 CS	273. TIVO INC	(TIVO)	09/29/99 CS
196. ONYX SOFTWARE CORP	(ONXS)	02/11/99 CS	274. TRANSMETA CORP	(TMTA)	11/06/00 CS
197. OPENTV CORP (MIH LTD)	(OPTV)	11/23/99 CS	275. TRITON NETWORK SYSTEMS INC	(TNSI)	07/12/00 CS
198. OPENWAVE SYSTEMS	(OPWV)	06/11/99 CS	276. TURNSTONE SYSTEMS INC	(TSTN)	01/31/00 CS
199. OPLINK COMMUNICATIONS INC	(OPLK)	10/04/00 CS	277. TUT SYSTEMS INC	(TUTS)	01/28/99 CS
200. OPTIO SOFTWARE INC	(OPTO)	12/14/99 CS	278. UAXS GLOBAL HOLDINGS INC	(UAXS)	03/17/00 CS
201. ORAPHARMA INC	(OPHM)	03/09/00 CS	279. UNITED PAN-EUROPE COMM NV	(UPCOY)	02/11/99 ADS
202. ORATEC INTERVENTIONS INC	(OTEC)	04/04/00 CS	280. USINTERNETWORKING INC	(USIX)	04/08/99 CS
203. ORCHID BIOSCIENCES INC	(ORCH)	05/04/00 CS	281. UTSTARCOM INC	(UTSI)	03/02/00 CS
204. ORGANIC INC	(OGNC)	02/09/00 CS	282. VA LINUX SYSTEMS INC (VA SOFTWARE CORP)	(LNUX)	12/09/99 CS
205. OTG SOFTWARE INC	(OTGS)	03/10/00 CS	283. VALICERT INC	(VLCT)	07/27/00 CS
206. PACIFIC INTERNET	(PCNTF)	02/05/99 CS	284. VALLEY MEDIA INC	(VMIX)	03/26/99 CS
207. PACKETEER INC	(PKTR)	07/28/99 CS	285. VALUE AMERICA INC	(VUSA)	04/08/99 CS
208. PAC-WEST TELECOMM INC	(PACW)	11/03/99 CS	286. VARIAGENICS INC	(VGNX)	07/21/00 CS
209. PALM INC (3COM CORP)	(PALM)	03/01/00 CS	287. VENTRO CORP	(CMDX)	07/27/99 CS
210. PARADYNE NETWORKS INC	(PDYN)	07/16/99 CS	288. VERADO HOLDINGS	(VRDO)	03/08/00 CS
211. PCORDER.COM	(PCOR)	02/25/99 CS	289. VERTICALNET INC	(VERT)	02/10/99 CS
212. PEROT SYSTEMS CORP	(PER)	02/01/99 CS	290. VIA NET.WORKS INC	(VNNWI)	02/11/00 CS
213. PLANETRX.COM INC	(PLRX)	10/06/99 CS	291. VIADOR INC	(VIAD)	10/26/99 CS
214. PORTAL SOFTWARE INC	(PRSF)	05/05/99 CS	292. VIAN CORP	(VIAN)	06/17/99 CS
215. PREDICTIVE SYSTEMS INC	(PRDS)	10/27/99 CS	293. VICINITY CORP	(VCNT)	02/08/00 CS
216. PREVIEW SYSTEMS INC	(PRVW)	12/08/99 CS	294. VIGNETTE CORP	(VIGN)	02/18/99 CS
217. PRICELINE.COM INC	(PCLN)	03/29/99 CS	295. VIRAGE INC	(VRGE)	06/28/00 CS
218. PRIMUS KNOWLEDGE SOLUTIONS INC	(PKSI)	07/01/99 CS	296. VIRATA CORP	(VRTA)	11/16/99 CS
219. PRODIGY COMMUNICATIONS CORP	(PRGY)	02/10/99 CS	297. VITRIA TECHNOLOGY INC	(VITR)	09/16/99 CS
220. PROTON ENERGY SYSTEMS INC	(PRTN)	09/28/00 CS	298. VIXEL CORP	(VIXL)	10/01/99 CS
221. PSI TECHNOLOGIES HOLDINGS INC	(PSIT)	03/15/00 ADS	299. WEBMD	(HLTH)	02/11/99 CS
222. PURCHASEPRO.COM INC	(PPRO)	09/13/99 CS	300. WEBMETHODS INC	(WEBM)	02/10/00 CS
223. QUEST SOFTWARE INC	(QSFT)	08/12/99 CS	301. WEBVAN GROUP INC	(WBVN)	11/04/99 CS
224. QUICKLOGIC CORP	(QUIK)	10/14/99 CS	302. WINK COMMUNICATIONS INC	(WINK)	08/18/99 CS
225. RADIO ONE INC	(ROIA)	05/05/99 CS	303. WIRELESS FACILITIES INC	(WFII)	11/04/99 CS
226. RADIO UNICA COMMUNICATIONS COR	(UNCA)	10/18/99 CS	304. WOMEN.COM NETWORKS	(WOMN)	10/14/99 CS
227. RADWARE LTD	(RDWR)	09/29/99 CS	305. WORLD WRESTLING FEDERATION ENTERTAINMENT INC	(WWFE)	10/18/99 CS
228. RAVISENT TECHNOLOGIES INC	(RVST)	07/15/99 CS	306. XCARE NET INC	(XCAR)	02/09/00 CS
229. RAZORFISH INC	(RAZF)	04/26/99 CS	307. XPEDIOR INC	(XPDR)	12/15/99 CS
230. RED HAT INC	(RHAT)	08/11/99 CS	308. Z-TEL TECHNOLOGIES INC	(ZTEL)	12/15/99 CS
231. REDBACK NETWORKS INC	(RBAK)	05/17/99 CS	309. 724 SOLUTIONS INC	(SVNX)	01/27/00 CS
232. REDIFF.COM INDIA LTD	(REDF)	06/14/00 ADS			

\* CS = Common Stock    ADS = American Depositary Shares    DR = Depository Receipts    CO = Call Options

## SCHEDULE 2

<b>Issuer</b>	<b>PSLRA Stmt. of Gross Recovery</b>	<b>PSLRA Stmt. Of Fees, Expenses &amp; PSLRA Award Requests</b>	<b>PSLRA Stmt. of Gross Recovery Per Damaged Subject Security</b>	<b>PSLRA Stmt. Of Fees, Expenses &amp; PSLRA Award Requests Per Damaged Subject Security</b>	<b>Plaintiffs' Preliminary Estimate of Potential Trial Damages For Settlement Class Members</b>
ACCELERATED NETWORKS INC	\$1,172,582	\$565,947	\$0.0482	\$0.0232	\$66,058,750
ACLARA BIOSCIENCES INC	\$751,959	\$362,934	\$0.0402	\$0.0194	\$42,362,500
AETHER SYSTEMS INC	\$2,117,676	\$1,022,098	\$0.0738	\$0.0356	\$119,301,750
AGENCY.COM LTD	\$2,545,647	\$1,228,659	\$0.0742	\$0.0358	\$143,412,000
AGILE SOFTWARE CORP	\$300,000	\$144,795	\$0.0684	\$0.0330	\$13,447,750
AGILENT TECHNOLOGIES INC	\$1,755,189	\$847,143	\$0.0281	\$0.0136	\$98,880,625
AIRGATE PCS	\$300,000	\$144,795	\$0.0484	\$0.0234	\$7,508,375
AIRNET COMMUNICATIONS CORP	\$1,502,057	\$724,969	\$0.0554	\$0.0268	\$84,620,125
AIRSPAN NETWORKS INC	\$729,906	\$352,290	\$0.0415	\$0.0200	\$41,120,125
AKAMAI TECHNOLOGIES INC	\$15,969,004	\$7,707,452	\$0.1090	\$0.0526	\$899,632,375
ALAMOSA PCS HOLDINGS	\$984,246	\$475,047	\$0.0372	\$0.0180	\$55,448,625
ALLOY ONLINE INC	\$300,000	\$144,795	\$0.0197	\$0.0095	\$16,102,500
ANTIGENICS INC	\$961,166	\$463,907	\$0.0797	\$0.0385	\$54,148,375
APROPOS TECHNOLOGY INC	\$709,529	\$342,455	\$0.0469	\$0.0226	\$39,972,125
ARIBA INC	\$4,883,373	\$2,356,964	\$0.2125	\$0.1026	\$275,110,500
ASHFORD.COM INC	\$348,937	\$168,415	\$0.0191	\$0.0092	\$19,657,750
ASIAINFO HOLDINGS	\$2,596,146	\$1,253,032	\$0.1167	\$0.0563	\$146,256,875
ASK JEEVES INC	\$3,340,798	\$1,612,439	\$0.0521	\$0.0252	\$188,207,750
ASPECT MEDICAL SYSTEMS INC	\$379,226	\$183,034	\$0.0335	\$0.0162	\$21,364,125
AUDIBLE INC	\$779,919	\$376,428	\$0.0194	\$0.0094	\$43,937,625
AUTOBYTEL.COM INC	\$1,200,262	\$579,307	\$0.0220	\$0.0106	\$67,618,125
AUTOWEB.COM INC	\$1,570,945	\$758,218	\$0.0240	\$0.0116	\$88,501,000
AVANEX CORP	\$7,211,407	\$3,480,591	\$0.0941	\$0.0454	\$406,263,000
AVANTGO INC	\$300,000	\$144,795	\$0.0299	\$0.0144	\$14,579,000
AVENUE A INC	\$1,943,989	\$938,268	\$0.0671	\$0.0324	\$109,516,875
AVICI SYSTEMS INC	\$2,722,980	\$1,314,248	\$0.0992	\$0.0479	\$153,402,250
BACKWEB TECHNOLOGIES	\$735,538	\$355,008	\$0.0253	\$0.0122	\$41,437,375
BE FREE INC	\$1,292,196	\$623,679	\$0.0329	\$0.0159	\$72,797,375
BLUE MARTINI SOFTWARE INC	\$1,284,224	\$619,832	\$0.0574	\$0.0277	\$72,348,250
BOOKHAM TECHNOLOGY	\$645,695	\$311,645	\$0.0333	\$0.0161	\$36,376,000
BOTTOMLINE TECHNOLOGIES INC	\$303,706	\$146,584	\$0.0250	\$0.0120	\$17,109,625
BRAUN CONSULTING INC	\$300,000	\$144,795	\$0.0598	\$0.0288	\$2,002,000
BREAKAWAY SOLUTIONS INC	\$1,093,081	\$527,576	\$0.0706	\$0.0341	\$61,580,000
BROCADE COMM SYS INC	\$380,859	\$183,822	\$0.1094	\$0.0528	\$21,456,125
BSQUARE CORP	\$1,188,160	\$573,466	\$0.0467	\$0.0226	\$66,936,375
BUY.COM INC	\$1,697,850	\$819,469	\$0.0277	\$0.0134	\$95,650,375
CACHEFLOW INC	\$5,274,650	\$2,545,814	\$0.1387	\$0.0670	\$297,153,500
CALDERA SYSTEMS INC	\$676,530	\$326,528	\$0.0306	\$0.0148	\$38,113,125
CALICO COMMERCE INC	\$2,116,820	\$1,021,685	\$0.0421	\$0.0203	\$119,253,500
CALIPER TECHNOLOGIES CORP	\$300,000	\$144,795	\$0.0680	\$0.0328	\$11,927,000
CAPSTONE TURBINE CORP	\$1,305,088	\$629,902	\$0.0582	\$0.0281	\$73,523,625
CARRIER 1 INTERNATIONAL	\$1,280,110	\$617,846	\$0.0270	\$0.0130	\$72,116,500
CENTRA SOFTWARE INC	\$763,377	\$368,445	\$0.0368	\$0.0178	\$43,005,750
CHARTERED SEMICONDUCTOR MNFG	\$425,149	\$205,198	\$0.0241	\$0.0116	\$23,951,250
CHINA.COM CORP	\$3,744,440	\$1,807,257	\$0.0691	\$0.0334	\$210,947,375
CHOICE ONE COMMUNICATIONS	\$578,274	\$279,104	\$0.0400	\$0.0193	\$32,577,750
CHORDIANT SOFTWARE INC	\$943,135	\$455,205	\$0.0355	\$0.0171	\$53,132,625
CLARENT CORP	\$903,476	\$436,063	\$0.0347	\$0.0168	\$50,898,375
CLICK COMMERCE INC	\$300,000	\$144,795	\$0.2225	\$0.1074	\$1,393,875
CNET NETWORKS (ZIFF-DAVIS)	\$1,879,388	\$907,088	\$0.0427	\$0.0206	\$105,877,500
COBALT NETWORKS INC	\$2,908,578	\$1,403,827	\$0.1005	\$0.0485	\$163,858,125
COMMERCE ONE INC	\$11,387,012	\$5,495,950	\$0.1310	\$0.0632	\$641,500,500
COMMTOUCH SOFTWARE LTD	\$535,919	\$258,662	\$0.0266	\$0.0128	\$30,191,625
CONCUR TECHNOLOGIES INC	\$852,235	\$411,332	\$0.0242	\$0.0117	\$48,011,625
COPPER MOUNTAIN NETWORKS INC	\$4,216,974	\$2,035,326	\$0.1014	\$0.0489	\$237,568,125

## SCHEDULE 2

Issuer	PSLRA Stmt. of Gross Recovery	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests	PSLRA Stmt. of Gross Recovery Per Damaged Subject Security	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests Per Damaged Subject Security	Plaintiffs' Preliminary Estimate of Potential Trial Damages For Settlement Class Members
CORIO INC	\$552,449	\$266,640	\$0.0262	\$0.0126	\$31,122,875
CORVIS CORP	\$7,134,516	\$3,443,480	\$0.0797	\$0.0385	\$401,931,250
COSINE COMMUNICATIONS INC	\$2,366,466	\$1,142,177	\$0.0909	\$0.0439	\$133,317,625
COVAD COMMUNICATIONS GROUP INC	\$9,298,555	\$4,487,954	\$0.0401	\$0.0194	\$523,844,875
CRITICAL PATH INC	\$6,377,021	\$3,077,874	\$0.0615	\$0.0297	\$359,256,875
CYBERSOURCE CORP	\$403,187	\$194,598	\$0.0183	\$0.0088	\$22,714,000
DALEEN TECHNOLOGIES INC	\$484,722	\$233,951	\$0.0296	\$0.0143	\$27,307,375
DATA RETURN CORP	\$400,220	\$193,167	\$0.0221	\$0.0107	\$22,546,875
DECODE GENETICS	\$1,000,212	\$482,753	\$0.0334	\$0.0161	\$56,348,125
DELANO TECHNOLOGY CORP	\$1,181,548	\$570,275	\$0.0599	\$0.0289	\$66,563,875
DELTATHREE.COM INC	\$855,960	\$413,130	\$0.0345	\$0.0167	\$48,221,500
DIGIMARC CORP	\$1,267,887	\$611,947	\$0.0888	\$0.0429	\$71,427,875
DIGITAL IMPACT INC	\$1,562,172	\$753,983	\$0.0803	\$0.0388	\$88,006,750
DIGITAL INSIGHT CORP	\$685,071	\$330,650	\$0.0395	\$0.0191	\$38,594,250
DIGITAL ISLAND INC	\$833,954	\$402,508	\$0.0162	\$0.0078	\$46,981,750
DIGITAL RIVER INC	\$300,000	\$144,795	\$0.0132	\$0.0064	\$14,717,875
DIGITALTHINK INC	\$581,536	\$280,679	\$0.0422	\$0.0203	\$32,761,500
DIGITAS INC	\$771,296	\$372,267	\$0.0358	\$0.0173	\$43,451,875
DIVERSA CORP	\$2,986,896	\$1,441,628	\$0.1062	\$0.0513	\$168,270,250
DOUBLECLICK INC	\$850,142	\$410,322	\$0.0280	\$0.0135	\$47,893,750
DRKOOP.COM INC	\$1,276,496	\$616,102	\$0.0111	\$0.0054	\$71,912,875
DRUGSTORE.COM INC	\$1,933,698	\$933,301	\$0.0376	\$0.0182	\$108,937,125
E.PIPHANY INC	\$841,826	\$406,308	\$0.0765	\$0.0369	\$47,425,250
EARTHWEB INC	\$1,463,598	\$706,407	\$0.0409	\$0.0198	\$82,453,500
EBENX INC	\$995,875	\$480,660	\$0.0583	\$0.0281	\$56,103,750
EGAIN COMMUNICATIONS	\$851,205	\$410,835	\$0.0241	\$0.0116	\$47,953,625
EL SITIO INTERNATIONAL CORP	\$1,337,565	\$645,577	\$0.0368	\$0.0177	\$75,353,250
E-LOAN INC	\$1,254,234	\$605,357	\$0.0264	\$0.0127	\$70,658,750
ELOQUENT INC	\$646,474	\$312,021	\$0.0357	\$0.0172	\$36,419,875
ENGAGE TECHNOLOGIES INC	\$3,092,064	\$1,492,387	\$0.0544	\$0.0263	\$174,195,000
EQUINIX INC	\$432,174	\$208,589	\$0.0225	\$0.0108	\$24,347,000
ETOYS INC	\$11,242,056	\$5,425,987	\$0.0363	\$0.0175	\$633,334,250
EVOLVE SOFTWARE INC	\$300,000	\$144,795	\$0.0299	\$0.0144	\$16,095,000
EXCHANGE APPLICATIONS INC	\$369,186	\$178,188	\$0.0197	\$0.0095	\$20,798,500
EXFO ELECTRO OPTICAL ENGINEERING INC	\$503,640	\$243,082	\$0.0391	\$0.0189	\$28,373,125
EXPEDIA INC	\$1,413,453	\$682,204	\$0.0657	\$0.0317	\$79,628,500
EXTENSITY INC	\$1,570,596	\$758,050	\$0.0884	\$0.0426	\$88,481,375
EXTREME NETWORKS INC	\$1,303,270	\$629,024	\$0.0893	\$0.0431	\$73,421,250
F5 NETWORKS INC	\$300,000	\$144,795	\$0.0222	\$0.0107	\$10,177,500
FAIRMARKET INC	\$1,231,041	\$594,163	\$0.0517	\$0.0250	\$69,352,125
FATBRAIN.COM	\$722,999	\$348,956	\$0.0211	\$0.0102	\$40,731,000
FINISAR CORP	\$1,115,529	\$538,411	\$0.0657	\$0.0317	\$62,844,625
FIREPOND INC	\$3,008,170	\$1,451,896	\$0.1043	\$0.0503	\$169,468,750
FLASHNET COMMUNICATIONS INC	\$1,082,733	\$522,582	\$0.0338	\$0.0163	\$60,997,000
FOCAL COMMUNICATIONS CORP	\$700,316	\$338,008	\$0.0264	\$0.0127	\$39,453,125
FOUNDRY NETWORKS INC	\$12,790,449	\$6,173,319	\$0.1530	\$0.0738	\$720,564,750
FREEMARKETS INC	\$8,793,517	\$4,244,198	\$0.1333	\$0.0643	\$495,393,000
GADZOOX NETWORKS INC	\$3,765,337	\$1,817,343	\$0.0513	\$0.0248	\$212,124,625
GIGAMEDIA	\$9,440,478	\$4,556,453	\$0.2070	\$0.0999	\$531,840,250
GLOBAL CROSSING	\$12,794,946	\$6,175,490	\$0.0291	\$0.0140	\$720,818,125
GLOBESPAN INC	\$745,143	\$359,644	\$0.1059	\$0.0511	\$41,978,500
GOTO.COM INC	\$889,719	\$429,424	\$0.0223	\$0.0107	\$50,123,375
GRIC COMMUNICATIONS INC	\$570,087	\$275,153	\$0.0318	\$0.0154	\$32,116,500
GT GROUP TELECOM	\$1,004,058	\$484,609	\$0.0294	\$0.0142	\$56,564,750
HANDSPRING INC	\$300,000	\$144,795	\$0.0506	\$0.0244	\$5,700,750

## SCHEDULE 2

Issuer	PSLRA Stmt. of Gross Recovery	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests	PSLRA Stmt. of Gross Recovery Per Damaged Subject Security	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests Per Damaged Subject Security	Plaintiffs' Preliminary Estimate of Potential Trial Damages For Settlement Class Members
HIGH SPEED ACCESS CORP	\$1,564,683	\$755,196	\$0.0232	\$0.0112	\$88,148,250
HOOVER'S INC	\$393,965	\$190,148	\$0.0214	\$0.0103	\$22,194,500
IBASIS INC	\$2,472,732	\$1,193,466	\$0.0520	\$0.0251	\$139,304,250
IBEAM BROADCASTING CORP	\$483,353	\$233,291	\$0.0182	\$0.0088	\$27,230,250
IMANAGE INC	\$562,423	\$271,454	\$0.0345	\$0.0166	\$31,684,750
IMMERSION CORP	\$300,000	\$144,795	\$0.0285	\$0.0137	\$14,250,125
IMPSAT FIBER NETWORKS	\$1,215,341	\$586,585	\$0.0451	\$0.0218	\$68,467,625
INFORMATICA CORP	\$300,000	\$144,795	\$0.8848	\$0.4271	\$770,875
INFORMAX INC	\$300,000	\$144,795	\$0.0477	\$0.0230	\$8,637,250
INFORTE CORP	\$607,505	\$293,213	\$0.0732	\$0.0353	\$34,224,500
INRANGE TECHNOLOGIES CORP	\$1,234,025	\$595,603	\$0.0644	\$0.0311	\$69,520,250
INSWEB CORP	\$1,013,623	\$489,226	\$0.0356	\$0.0172	\$57,103,625
INTEGRATED INFORMATION SYSTEMS	\$350,803	\$169,315	\$0.0309	\$0.0149	\$19,762,875
INTEGRATED TELECOM EXPRESS INC	\$335,227	\$161,797	\$0.0325	\$0.0157	\$18,885,375
INTERNAP NETWORK SERVICES CORP	\$5,037,129	\$2,431,174	\$0.0703	\$0.0339	\$283,772,500
INTERNET CAPITAL GROUP INC	\$3,595,901	\$1,735,564	\$0.0415	\$0.0200	\$202,579,250
INTERNET INFRASTRUCTURE HOLDRS	\$788,024	\$380,340	\$0.0653	\$0.0315	\$44,394,250
INTERNET INITIATIVE JAPAN	\$577,362	\$278,664	\$0.0543	\$0.0262	\$32,526,375
INTERSIL HOLDING CORP	\$2,964,102	\$1,430,626	\$0.0430	\$0.0208	\$166,986,125
INTERTRUST TECHNOLOGIES CORP	\$2,897,386	\$1,398,426	\$0.0873	\$0.0421	\$163,227,625
INTERWAVE COMMUNICATIONS INT'L LTD	\$1,722,200	\$831,221	\$0.0417	\$0.0201	\$97,022,125
INTERWOVEN INC	\$334,807	\$161,595	\$0.0783	\$0.0378	\$18,861,750
INTRAWARE INC	\$587,303	\$283,462	\$0.0226	\$0.0109	\$33,086,375
IPRINT.COM INC	\$300,000	\$144,795	\$0.0220	\$0.0106	\$15,421,375
ITXC CORP	\$1,571,704	\$758,584	\$0.0464	\$0.0224	\$88,543,750
IVILLAGE INC	\$3,291,183	\$1,588,492	\$0.0390	\$0.0188	\$185,412,625
IXL ENTERPRISES INC	\$1,420,098	\$685,411	\$0.0260	\$0.0125	\$80,002,875
JAZZTEL P.L.C.	\$2,739,697	\$1,322,317	\$0.0883	\$0.0426	\$154,344,000
JNI CORP	\$742,993	\$358,606	\$0.0467	\$0.0226	\$41,857,375
JUNIPER NETWORKS	\$2,644,651	\$1,276,443	\$0.2664	\$0.1286	\$148,989,500
KANA SOFTWARE	\$2,652,175	\$1,280,074	\$0.0632	\$0.0305	\$149,413,375
KEYNOTE SYSTEMS INC	\$930,073	\$448,900	\$0.0425	\$0.0205	\$52,396,750
KOREA THRUNET	\$4,743,685	\$2,289,543	\$0.0768	\$0.0371	\$267,241,000
LANTE CORP	\$1,148,876	\$554,506	\$0.0687	\$0.0331	\$64,723,250
LATITUDE COMMUNICATIONS INC	\$300,000	\$144,795	\$0.0221	\$0.0107	\$10,646,500
LEXENT INC	\$300,000	\$144,795	\$0.0324	\$0.0156	\$16,044,375
LIBERATE TECHNOLOGIES	\$300,000	\$144,795	\$0.0275	\$0.0133	\$7,384,250
LIONBRIDGE TECHNOLOGIES	\$300,000	\$144,795	\$0.0240	\$0.0116	\$10,964,375
LIQUID AUDIO INC	\$1,567,699	\$756,651	\$0.0358	\$0.0173	\$88,318,125
LOOKSMART LTD	\$1,157,667	\$558,749	\$0.0256	\$0.0124	\$65,218,500
LOUDEYE TECHNOLOGIES INC	\$866,808	\$418,365	\$0.0587	\$0.0283	\$48,832,625
MANUFACTURERS SERVICES LTD	\$629,440	\$303,800	\$0.0262	\$0.0126	\$35,460,250
MARIMBA INC	\$2,496,540	\$1,204,957	\$0.0570	\$0.0275	\$140,645,500
MARKETWATCH.COM INC	\$2,152,802	\$1,039,052	\$0.0891	\$0.0430	\$121,280,625
MARTHA STEWART LIVING OMNIMEDIA INC	\$653,308	\$315,320	\$0.0389	\$0.0188	\$36,804,875
MARVELL TECHNOLOGY GROUP LTD	\$1,092,307	\$527,203	\$0.0596	\$0.0288	\$61,536,375
MATRIXONE INC	\$2,101,133	\$1,014,113	\$0.0766	\$0.0370	\$118,369,750
MXYGEN INC	\$1,036,916	\$500,468	\$0.0551	\$0.0266	\$58,415,875
MCALEE.COM CORP	\$1,556,915	\$751,446	\$0.0692	\$0.0334	\$87,710,625
MCDATA CORP (EMC CORP)	\$427,039	\$206,111	\$0.0780	\$0.0376	\$24,057,750
MCK COMMUNICATIONS INC	\$386,419	\$186,506	\$0.0284	\$0.0137	\$21,769,375
MEDIAPLEX INC	\$1,290,628	\$622,922	\$0.0350	\$0.0169	\$72,709,000
MEDICALOGIC INC (MEDSCAPE INC)	\$487,777	\$235,426	\$0.0207	\$0.0100	\$27,479,500
MERRILL LYNCH B2B INTERNET HOLDRS	\$903,276	\$435,967	\$0.0426	\$0.0206	\$50,887,125
METASOLV SOFTWARE INC	\$1,859,902	\$897,683	\$0.0720	\$0.0347	\$104,779,750

## SCHEDULE 2

Issuer	PSLRA Stmt. of Gross Recovery	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests	PSLRA Stmt. of Gross Recovery Per Damaged Subject Security	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests Per Damaged Subject Security	Plaintiffs' Preliminary Estimate of Potential Trial Damages For Settlement Class Members
METAWAVE COMMUNICATIONS CORP	\$300,000	\$144,795	\$0.0238	\$0.0115	\$9,709,125
MICROTUNE INC	\$1,329,342	\$641,608	\$0.0491	\$0.0237	\$74,890,000
MODEM MEDIA. POPPE TYSON INC	\$988,808	\$477,249	\$0.0498	\$0.0241	\$55,705,625
MP3.COM INC	\$4,978,228	\$2,402,745	\$0.0443	\$0.0214	\$280,454,250
MULTEX.COM INC	\$1,146,639	\$553,426	\$0.0302	\$0.0146	\$64,597,250
NAVISITE INC	\$1,155,619	\$557,760	\$0.0765	\$0.0369	\$65,103,125
NEOFORMA.COM INC	\$2,131,007	\$1,028,532	\$0.0375	\$0.0181	\$120,052,750
NET PERCEPTIONS INC	\$1,450,305	\$699,991	\$0.0315	\$0.0152	\$81,704,625
NET2000 COMMUNICATIONS INC	\$1,490,810	\$719,540	\$0.0483	\$0.0233	\$83,986,500
NET2PHONE INC	\$1,186,656	\$572,740	\$0.0344	\$0.0166	\$66,851,625
NETCENTIVES INC	\$300,000	\$144,795	\$0.0202	\$0.0098	\$15,907,625
NETRATINGS INC	\$300,000	\$144,795	\$0.0343	\$0.0166	\$15,919,250
NETRO CORP	\$1,680,058	\$810,881	\$0.0337	\$0.0162	\$94,648,000
NETSILICON INC (OSICOM TECH)	\$300,000	\$144,795	\$0.0249	\$0.0120	\$12,895,625
NETSOLVE INC	\$387,744	\$187,145	\$0.0362	\$0.0175	\$21,844,000
NETWORK ENGINES INC	\$862,317	\$416,198	\$0.0485	\$0.0234	\$48,579,625
NETWORK PLUS CORP	\$1,067,711	\$515,332	\$0.0224	\$0.0108	\$60,150,750
NETZERO INC	\$2,844,738	\$1,373,015	\$0.0264	\$0.0127	\$160,261,625
NEW FOCUS INC	\$1,355,914	\$654,433	\$0.0611	\$0.0295	\$76,387,000
NEXT LEVEL COMMUNICATIONS	\$4,648,646	\$2,243,673	\$0.0935	\$0.0451	\$261,886,875
NEXTCARD INC	\$1,920,694	\$927,024	\$0.0329	\$0.0159	\$108,204,500
NEXTEL PARTNERS INC	\$1,332,876	\$643,314	\$0.0254	\$0.0123	\$75,089,125
NIKU CORP	\$2,990,761	\$1,443,493	\$0.0602	\$0.0291	\$168,488,000
NORTHPOINT COMMUNICATIONS GRP	\$5,487,934	\$2,648,755	\$0.0354	\$0.0171	\$309,169,125
NUANCE COMMUNICATIONS INC	\$372,128	\$179,608	\$0.0634	\$0.0306	\$20,964,250
OMNISKY CORP	\$300,000	\$144,795	\$0.0168	\$0.0081	\$16,367,000
OMNIVISION TECHNOLOGIES INC	\$689,535	\$332,805	\$0.0721	\$0.0348	\$38,845,750
ON SEMICONDUCTOR CORP	\$1,456,114	\$702,795	\$0.0272	\$0.0131	\$82,031,875
ONI SYSTEMS CORP	\$1,760,759	\$849,831	\$0.0349	\$0.0169	\$99,194,375
ONVIA.COM INC	\$2,711,296	\$1,308,609	\$0.0525	\$0.0254	\$152,744,000
ONYX SOFTWARE CORP	\$300,000	\$144,795	\$0.0206	\$0.0099	\$16,086,000
OPENTV CORP (MIH LTD)	\$2,551,490	\$1,231,478	\$0.0687	\$0.0331	\$143,741,125
OPENWAVE SYSTEMS	\$1,808,168	\$872,714	\$0.0801	\$0.0387	\$101,865,250
OPLINK COMMUNICATIONS INC	\$1,072,468	\$517,628	\$0.0356	\$0.0172	\$60,418,750
OPTIO SOFTWARE INC	\$330,676	\$159,601	\$0.0232	\$0.0112	\$18,629,000
ORAPHARMA INC	\$352,615	\$170,190	\$0.0481	\$0.0232	\$19,865,000
ORATEC INTERVENTIONS INC	\$734,007	\$354,269	\$0.0480	\$0.0232	\$41,351,125
ORCHID BIOSCIENCES INC	\$300,000	\$144,795	\$0.0395	\$0.0190	\$2,768,125
ORGANIC INC	\$981,439	\$473,692	\$0.0546	\$0.0263	\$55,290,500
OTG SOFTWARE INC	\$1,121,873	\$541,473	\$0.0736	\$0.0355	\$63,202,000
PACIFIC INTERNET	\$1,502,383	\$725,126	\$0.0569	\$0.0275	\$84,638,500
PACKETEER INC	\$1,045,745	\$504,730	\$0.0376	\$0.0182	\$58,913,250
PAC-WEST TELECOMM INC	\$963,260	\$464,918	\$0.0395	\$0.0191	\$54,266,375
PALM INC (3COM CORP)	\$6,854,572	\$3,308,364	\$0.0432	\$0.0208	\$386,160,250
PARADYNE NETWORKS INC	\$3,823,020	\$1,845,183	\$0.0487	\$0.0235	\$215,374,250
PCORDER.COM	\$652,450	\$314,905	\$0.0429	\$0.0207	\$36,756,500
PEROT SYSTEMS CORP	\$2,246,725	\$1,084,384	\$0.0322	\$0.0155	\$126,571,875
PLANETRX.COM INC	\$734,060	\$354,295	\$0.0147	\$0.0071	\$41,354,125
PORTAL SOFTWARE INC	\$5,323,732	\$2,569,503	\$0.1033	\$0.0499	\$299,918,625
PREDICTIVE SYSTEMS INC	\$850,313	\$410,404	\$0.0536	\$0.0259	\$47,903,375
PREVIEW SYSTEMS INC	\$2,171,964	\$1,048,300	\$0.1069	\$0.0516	\$122,360,125
PRICELINE.COM INC	\$20,714,558	\$9,997,897	\$0.0583	\$0.0281	\$1,166,978,625
PRIMUS KNOWLEDGE SOLUTIONS INC	\$325,344	\$157,027	\$0.0329	\$0.0159	\$18,328,625
PRODIGY COMMUNICATIONS CORP	\$3,757,664	\$1,813,639	\$0.0486	\$0.0234	\$211,692,375
PROTON ENERGY SYSTEMS INC	\$558,096	\$269,366	\$0.0518	\$0.0250	\$31,441,000

## SCHEDULE 2

Issuer	PSLRA Stmt. of Gross Recovery	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests	PSLRA Stmt. of Gross Recovery Per Damaged Subject Security	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests Per Damaged Subject Security	Plaintiffs' Preliminary Estimate of Potential Trial Damages For Settlement Class Members
PSI TECHNOLOGIES HOLDINGS INC	\$300,000	\$144,795	\$0.0398	\$0.0192	\$8,643,500
PURCHASEPRO.COM INC	\$1,090,343	\$526,255	\$0.0418	\$0.0202	\$61,425,750
QUEST SOFTWARE INC	\$509,630	\$245,974	\$0.0762	\$0.0368	\$28,710,625
QUICKLOGIC CORP	\$413,185	\$199,424	\$0.0213	\$0.0103	\$23,277,250
RADIO ONE INC	\$355,899	\$171,775	\$0.0283	\$0.0137	\$20,050,000
RADIO UNICA COMMUNICATIONS COR	\$750,817	\$362,382	\$0.0368	\$0.0177	\$42,298,125
RADWARE LTD	\$314,514	\$151,800	\$0.0227	\$0.0109	\$17,718,500
RAVISENT TECHNOLOGIES INC	\$466,940	\$225,369	\$0.0177	\$0.0086	\$26,305,625
RAZORFISH INC	\$1,941,267	\$936,954	\$0.0399	\$0.0193	\$109,363,500
RED HAT INC	\$8,367,390	\$4,038,527	\$0.0587	\$0.0283	\$471,386,625
REDBACK NETWORKS INC	\$7,274,546	\$3,511,065	\$0.2202	\$0.1063	\$409,820,000
REDIFF.COM INDIA LTD	\$341,135	\$164,649	\$0.0344	\$0.0166	\$19,218,250
REGENT COMMUNICATIONS INC	\$384,476	\$185,567	\$0.0145	\$0.0070	\$21,659,875
REGISTER.COM INC	\$1,603,732	\$774,043	\$0.0593	\$0.0286	\$90,348,125
REPEATER TECHNOLOGIES INC	\$320,656	\$154,765	\$0.0278	\$0.0134	\$18,064,500
RESONATE INC	\$352,287	\$170,032	\$0.0639	\$0.0308	\$19,846,500
RETEK INC (HNC SOFTWARE INC)	\$443,068	\$213,847	\$0.0391	\$0.0189	\$24,960,750
RHYTHMS NETCONNECTIONS	\$8,943,255	\$4,316,468	\$0.0419	\$0.0202	\$503,828,625
ROWECOM INC	\$547,508	\$264,255	\$0.0264	\$0.0127	\$30,844,500
SABA SOFTWARE INC	\$320,780	\$154,825	\$0.0208	\$0.0100	\$18,071,500
SATYAM INFOWAY LTD	\$440,672	\$212,691	\$0.0651	\$0.0314	\$24,825,750
SCIQUEST.COM INC	\$1,368,011	\$660,272	\$0.0319	\$0.0154	\$77,068,500
SELECTICA INC	\$3,128,477	\$1,509,962	\$0.1634	\$0.0788	\$176,246,375
SEQUENOM INC	\$4,647,211	\$2,242,980	\$0.1128	\$0.0544	\$261,806,000
SILICON IMAGE INC	\$700,909	\$338,294	\$0.0439	\$0.0212	\$39,486,500
SILICON LABORATORIES INC	\$1,012,198	\$488,538	\$0.0937	\$0.0452	\$57,023,375
SILVERSTREAM SOFTWARE INC	\$754,509	\$364,164	\$0.0354	\$0.0171	\$42,506,125
SIRENZA MICRODEVICES	\$300,000	\$144,795	\$0.4548	\$0.2195	\$323,750
SMARTDISK CORP	\$469,532	\$226,620	\$0.0465	\$0.0224	\$26,451,625
SMTC CORP	\$300,000	\$144,795	\$0.0671	\$0.0324	\$2,631,750
SONICWALL INC	\$300,000	\$144,795	\$0.0439	\$0.0212	\$15,076,875
SONUS NETWORKS INC	\$769,586	\$371,441	\$0.0658	\$0.0317	\$43,355,500
SPANISH BROADCASTING SYSTEM	\$1,767,342	\$853,009	\$0.0341	\$0.0165	\$99,565,250
STAMPS.COM INC	\$691,907	\$333,949	\$0.0141	\$0.0068	\$38,979,375
STARMEDIA NETWORK INC	\$2,261,123	\$1,091,333	\$0.0409	\$0.0197	\$127,383,000
STORAGENETWORKS INC	\$2,687,282	\$1,297,018	\$0.1075	\$0.0519	\$151,391,125
STRATOS LIGHTWAVE INC	\$729,620	\$352,152	\$0.0188	\$0.0091	\$41,104,000
SUPPORT.COM INC	\$325,528	\$157,116	\$0.0442	\$0.0213	\$18,339,000
SWITCHBOARD INC	\$546,130	\$263,590	\$0.0346	\$0.0167	\$30,766,875
SYCAMORE NETWORKS INC	\$14,472,445	\$6,985,137	\$0.1758	\$0.0848	\$815,322,000
TALARIAN CORP	\$300,000	\$144,795	\$0.0379	\$0.0183	\$14,982,750
TELAXIS COMMUNICATIONS CORP	\$1,252,464	\$604,503	\$0.0551	\$0.0266	\$70,559,000
TELECOMMUNICATION SYSTEMS INC	\$301,077	\$145,315	\$0.0321	\$0.0155	\$16,961,500
TELECORP PCS INC	\$653,302	\$315,316	\$0.0403	\$0.0194	\$36,804,500
TENFOLD CORP	\$682,645	\$329,479	\$0.0377	\$0.0182	\$38,457,625
TERRA NETWORKS	\$1,803,478	\$870,450	\$0.0166	\$0.0080	\$101,601,000
THEGLOBE.COM INC	\$3,243,918	\$1,565,679	\$0.0448	\$0.0216	\$182,749,875
THESTREET.COM	\$2,111,319	\$1,019,030	\$0.0431	\$0.0208	\$118,943,625
TIBCO SOFTWARE INC	\$606,855	\$292,899	\$0.0681	\$0.0329	\$34,187,875
TICKETMASTER ONLINE-CITYSEARCH	\$2,696,084	\$1,301,267	\$0.0294	\$0.0142	\$151,887,000
TICKETS.COM	\$641,256	\$309,502	\$0.0167	\$0.0081	\$36,125,875
TIPPINGPOINT TECHNOLOGIES	\$646,150	\$311,865	\$0.0247	\$0.0119	\$36,401,625
TIVO INC	\$1,355,956	\$654,453	\$0.0384	\$0.0185	\$76,389,375
TRANSMETA CORP	\$759,375	\$366,513	\$0.0364	\$0.0176	\$42,780,250
TRITON NETWORK SYSTEMS INC	\$970,065	\$468,203	\$0.0535	\$0.0258	\$54,649,750

## SCHEDULE 2

Issuer	PSLRA Stmt. of Gross Recovery	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests	PSLRA Stmt. of Gross Recovery Per Damaged Subject Security	PSLRA Stmt. Of Fees, Expenses & PSLRA Award Requests Per Damaged Subject Security	Plaintiffs' Preliminary Estimate of Potential Trial Damages For Settlement Class Members
TURNSTONE SYSTEMS INC	\$3,443,869	\$1,662,186	\$0.1520	\$0.0733	\$194,014,375
TUT SYSTEMS INC	\$3,001,432	\$1,448,643	\$0.0588	\$0.0284	\$169,089,125
UAXS GLOBAL HOLDINGS INC	\$1,827,317	\$881,956	\$0.0511	\$0.0247	\$102,944,000
UNITED PAN-EUROPE COMM NV	\$1,336,750	\$645,183	\$0.0336	\$0.0162	\$75,307,375
USINTERNETWORKING INC	\$7,058,082	\$3,406,589	\$0.0548	\$0.0265	\$397,625,250
UTSTARCOM INC	\$2,791,744	\$1,347,437	\$0.0919	\$0.0444	\$157,276,125
VA LINUX SYSTEMS INC (VA SOFTWARE CORP)	\$9,281,929	\$4,479,930	\$0.1040	\$0.0502	\$522,908,250
VALICERT INC	\$300,000	\$144,795	\$0.0599	\$0.0289	\$4,643,500
VALLEY MEDIA INC	\$300,000	\$144,795	\$0.0276	\$0.0133	\$14,537,375
VALUE AMERICA INC	\$2,055,496	\$992,087	\$0.0230	\$0.0111	\$115,798,750
VARIAGENICS INC	\$742,381	\$358,311	\$0.0417	\$0.0201	\$41,822,875
VENTRO CORP	\$1,963,197	\$947,539	\$0.0274	\$0.0132	\$110,599,000
VERADO HOLDINGS	\$1,183,430	\$571,183	\$0.0350	\$0.0169	\$66,669,875
VERTICALNET INC	\$1,431,487	\$690,908	\$0.0773	\$0.0373	\$80,644,500
VIA NET.WORKS INC	\$3,025,126	\$1,460,079	\$0.0962	\$0.0464	\$170,424,000
VIADOR INC	\$300,000	\$144,795	\$0.0272	\$0.0131	\$10,079,500
VIANI CORP	\$739,290	\$356,819	\$0.0222	\$0.0107	\$41,648,750
VICINITY CORP	\$3,538,788	\$1,707,999	\$0.1060	\$0.0512	\$199,361,750
VIGNETTE CORP	\$954,367	\$460,626	\$0.0895	\$0.0432	\$53,765,375
VIRAGE INC	\$300,000	\$144,795	\$0.0328	\$0.0158	\$9,550,750
VIRATA CORP	\$375,620	\$181,293	\$0.0423	\$0.0204	\$21,161,000
VITRIA TECHNOLOGY INC	\$905,719	\$437,146	\$0.0846	\$0.0408	\$51,024,750
VIXEL CORP	\$1,408,094	\$679,618	\$0.0292	\$0.0141	\$79,326,625
WEBMD	\$6,520,703	\$3,147,222	\$0.0234	\$0.0113	\$367,351,375
WEBMETHODS INC	\$3,765,452	\$1,817,398	\$0.1617	\$0.0780	\$212,131,125
WEBVAN GROUP INC	\$4,144,620	\$2,000,404	\$0.0178	\$0.0086	\$233,492,000
WINK COMMUNICATIONS INC	\$1,324,549	\$639,295	\$0.0517	\$0.0250	\$74,620,000
WIRELESS FACILITIES INC	\$3,943,406	\$1,903,288	\$0.0724	\$0.0349	\$222,156,375
WOMEN.COM NETWORKS	\$1,692,532	\$816,902	\$0.0434	\$0.0210	\$95,350,750
WORLD WRESTLING FEDERATION ENTERTAINMENT INC	\$649,119	\$313,298	\$0.0229	\$0.0111	\$36,568,875
XCARE NET INC	\$505,734	\$244,093	\$0.0451	\$0.0218	\$28,491,125
XPEDIOR INC	\$903,720	\$436,181	\$0.0371	\$0.0179	\$50,912,125
Z-TEL TECHNOLOGIES INC	\$1,167,967	\$563,720	\$0.0415	\$0.0200	\$65,798,750
724 SOLUTIONS INC	\$2,022,207	\$976,020	\$0.0809	\$0.0390	\$113,923,375