

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF STATE**

John Smith and Mary North, on behalf of  
themselves and all others with similar claims,  
Plaintiffs

v.

Civil Action No. 00-1234

XYZ Corporation  
and  
Anne Adams,  
Defendants

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**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT,  
RIGHT TO EXCLUSION, AND HEARING**

To: All persons and entities who purchased one or more shares of stock of XYZ Corporation during the time period from January 2, 1999 through December 31, 1999.

**Read this notice carefully. You may be entitled to share in the settlement proceeds of a class action lawsuit. Your rights to money and other benefits may be affected.**

**This is not a lawsuit against you. You are not being sued. This is a notice of proposed class action settlement. In the following notice, you are being asked to decide whether you would like to participate in this class action.**

### Why did you receive this notice?

This notice has been sent to you because you may be a member of a group of individuals (a class ) for whom a proposed settlement with defendants has been reached. If the proposed settlement is approved by the judge, you may be eligible for money and other benefits, unless you decide to exclude yourself from the class. This notice will help you answer the following questions:

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## **1. What is a class action?**

A class action is a lawsuit in which one or more persons sue on behalf of other persons who have similar claims. The members of this group are called the class. The settlement of a class action lawsuit determines the rights of the entire class except for those who choose to exclude themselves from the class (see section 6c below). For this reason, the settlement of a class action must be approved by the judge. Those class members who do not exclude themselves from the class may submit a claim (see section 6a below) and receive payment of money and other benefits. They may also object to the terms of the settlement and still remain in the class (see section 6b below).

**WARNING:** If you are a member of the class and you do not exclude yourself or file a claim, you will not share in the settlement proceeds and be prohibited from pursuing your own case against the defendants for the claims that are the subject of this lawsuit.

## **2. Who are the parties in this Class Action?**

The plaintiffs are John Smith and Mary North. They purchased stock of XYZ Corporation during the period from January 2, 1999 through December 31, 1999. On January 11, 2000, they filed this lawsuit as a class action against defendants XYZ Corporation and Anne Adams, the Chief Executive Officer of XYZ Corporation. Plaintiffs filed the lawsuit as a class action to assert their own individual claims and to represent a class of persons who have similar claims. The lawsuit is pending in the United States District Court for the Northern District of State before United States District Judge Jane Jones.

## **3. Are you a member of the class?**

By order of October 4, 2000, Judge Jones decided that the lawsuit can proceed as a class action for settlement purposes only on behalf of a class consisting of anyone who:

- purchased shares of XYZ Corporation stock during the period from January 2, 1999 through December 31, 1999,
- is not a defendant, an officer or director of XYZ Corporation, or a member of the immediate family of an officer or director, and
- does not exclude themselves from the class.

You are a member of the class if you are in the group described after the first bullet (black dot) above and not in any of the groups identified in the second and third bullets above.

## **4. What is this lawsuit about?**

Plaintiffs claim that defendants intentionally overstated the anticipated earnings of XYZ Corporation to mislead potential investors. In summary, plaintiffs contend that defendants issued press releases and filed documents that contained false and misleading information about XYZ Corporation's revenue, net income, and earnings per share for 1999. Plaintiffs also contend defendants sold stock from their personal stock holdings at inflated prices during 1999. Defendants vigorously deny these claims.

Plaintiffs and defendants have agreed to settle the lawsuit. Prior to the settlement, attorneys for the class examined defendants' documents and witnesses to uncover evidence related to the class' claims. Based on the facts discovered and the risks involved in a trial,

attorneys for the class concluded that the proposed settlement is fair, reasonable, and adequate, and that it serves the best interests of class members.

**5. What does the proposed settlement provide?**

On September 10, 2000, the parties in the lawsuit arrived at a proposed settlement of the lawsuit. The proposed settlement requires Judge Jones' approval. The terms of the proposed settlement are summarized below. The full settlement terms are contained in a settlement agreement dated October 4, 2000. You can obtain a copy of the settlement agreement by calling **1-800-555-1234**, writing to Herman Green, Esq. at P.O. Box 1628, Any Town, US 12345, or visiting **www.xyzclassaction.com** on the Internet.

**5a. What is the settlement fund?**

In the proposed settlement, defendants have agreed to create a settlement fund in the amount of \$10,000,000.00 plus whatever interest accrues after the fund is created. Up to \$3,010,000.00, will be used to pay attorney fees and expenses, the costs of administering the settlement, and special payments of a total of \$10,000.00 to the class representatives. Then, the amount remaining, at least \$6,990,000.00, will be distributed to class members who submit valid claims. Whatever interest that accrues on the settlement fund after it is created will be distributed in the same way as the fund.

**5b. What fees and expenses will be deducted from the settlement fund?**

The attorneys for the class intend to ask the judge to award them fees for their services in representing the class in this lawsuit in the amount of \$2,500,000.00 (25% of the settlement fund) plus accrued interest. This amount would be paid from the settlement fund.

The attorneys for the class also intend to ask the judge to reimburse them \$300,000.00 (3% of the settlement fund) plus accrued interest for expenses they incurred in conducting this lawsuit. This amount would be paid from the settlement fund, based on proof of these expenses submitted by the attorneys for the class.

The settlement agreement also calls for two class representatives, John Smith and Mary North, to receive special payments of \$5,000.00 each, for a total of \$10,000.00. The settlement agreement also provides that the costs of administering the settlement, including the general costs of administering this fund to class members, would be paid out of the settlement fund. The estimated cost of administering the settlement is \$200,000.00, which is 2% of the settlement fund.

An award of attorney fees of \$2,500,000.00, an award of expenses of \$300,000.00, an award of \$10,000.00 to class representatives, and costs of administration of \$200,000.00 would be, in total, \$3,010,000.00 which would be 30.1% of the settlement fund. The judge may award less than \$3,010,000.00.

The defendants have agreed not to oppose these requests for fees and expenses.

**5c. What can you expect to receive under the proposed settlement?**

**Estimated cash payment.** The parties estimate that all class members purchased approximately 40,000,000 shares of XYZ stock during 1999. The class attorneys' damage expert estimates that if the case went to trial and if the class won on each claim, the average

recovery per share would be approximately \$3.03. Defendants disagree.

If the judge approves the proposed settlement, the proposed \$10,000,000.00 settlement will produce an **average recovery of \$.18 (18 cents) per share after deduction of court-awarded fees and expenses**. Your award may be more or less than \$.18 per share depending on the number of claims filed, and when you bought and sold (if you did) your XYZ Corporation stock. See Instructions for Table A on page 11 to determine your approximate award.

**6. What are your options?**

If you are a member of the class (see section 3 above), you have the following options. You may:

- file a claim (see section 6a below)
- object or comment on the proposed settlement (see section 6b below)
- file a claim and object to or comment on the proposed settlement
- exclude yourself from the class (see section 6c below)

For any of the above options, you may, but do not need to, hire an attorney to represent you.

The sections that follow explain the consequences of pursuing each option.

**WARNING:** Excluding yourself is not the same as doing nothing in response to this notice. For further explanation see 6c and 6d below.

**6a. What happens if you file a claim?**

If you are a class member and you complete and mail a valid Claim Form (**BLUE FORM**) postmarked by December 3, 2001, and if the judge approves the proposed settlement, you will receive the benefits of that settlement as described in this notice (see section 5 above). In exchange for receiving the benefits of the settlement, you will be prohibited from bringing a lawsuit against any of the defendants based on the alleged overstatement of earnings in relation to the purchase of shares of stock of the XYZ Corporation during 1999.

**How do you file a claim?**

To be eligible to participate in the distribution of the settlement fund, you must complete, sign, and mail the enclosed **BLUE FORM** postmarked by December 3, 2001.

If you file a claim (**BLUE FORM**), attorneys for the class will act as your representatives. Attorney fees and expenses for those attorneys will be paid by the defendants as part of the settlement fund. You may, if you wish, remain a member of the class and hire an attorney of your own choosing to represent you in this matter. If you hire your own attorney, you will be responsible for paying your own attorney's fees and expenses under whatever fee arrangement you make with your attorney. Your attorney does not have to be admitted to practice before the United States District Court for the Northern District of State.

**6b. What if you want to object to or comment on the proposed settlement?**

If you are a class member and do not exclude yourself by December 3, 2001 (see section 6c below), you may object to, or comment on, the proposed settlement, by mailing the enclosed Objection/Appearance Form (**GREEN FORM**) along with a written statement in the manner described below. The written statement should explain any reasons for your objections or comments. For example, you may wish to discuss any of the following subjects:

- whether the proposed settlement is fair, reasonable, and adequate
- whether the proposed settlement should receive court approval
- whether the class should be certified or redefined
- whether John Smith and Mary North and their attorneys adequately represent the class
- whether the applications for attorney fees and expenses are reasonable
- whether such applications should receive court approval
- any other aspect of the proposed settlement or the payment and distribution process for the proposed settlement.

Judge Jones will consider your objections or comments in deciding whether to approve the proposed settlement. She may agree with you but, even if she does not, your claim will not be affected because you made an objection or comment.

**WARNING:** Even if you file a comment or objection, you still must file a Claim Form (**BLUE FORM**) if you want to share in any settlement the judge may approve.

**How do you object to or comment on the proposed settlement?**

If you want to object to or comment on the proposed settlement, you must complete the enclosed **GREEN FORM** along with a written statement in the manner described in this box. If you mail a **GREEN FORM** and written statement postmarked by November 1, 2001, you may appear at the hearing described below and make a brief presentation of your comments and objections. You do not have to attend the hearing, however, even if you submit comments and objections. Your written statement (if filed on time) will be considered whether or not you appear at the hearing.

Attorneys for the class and attorneys for the defendants will have an opportunity to file a response to any objections or comments that are filed and to ask you questions if you decide to appear at the hearing.

**6c. What happens if you exclude yourself from the class?**

If you exclude yourself from the class by filing an Exclusion Form (**PURPLE FORM**), you will not share in the proposed settlement (see section 5 above).

If you exclude yourself from the class by filing a **PURPLE FORM**, you may pursue, on your own (by hiring an attorney or representing yourself) or as a member or representative of another class (if there is one), whatever claims you may have against the defendants. If you file

a **PURPLE FORM**, you should not expect any financial benefit from the proposed settlement, the attorneys for the class, or the class representatives. If you do not file any forms, that is if you do nothing in response to this notice, you will not be able to pursue these claims in any way (see section 6d below).

**Note:** If you bring or participate in another lawsuit, you will have to prove your claim in that lawsuit.

**How do you exclude yourself from the class?**

To exclude yourself from the class, you must complete, sign, and mail the enclosed **PURPLE FORM** postmarked by November 1, 2001.

**6d. WARNING: What happens if you do not file any forms in response to this notice?**

If you do not file any of the attached forms, you will not receive the monetary benefits of the proposed settlement. If you do not file any of the attached forms and the judge approves the proposed settlement, you will also be prohibited from bringing or joining any lawsuit against any of the defendants based on the alleged overstatement of earnings in relation to the purchase of shares of stock of the XYZ Corporation during 1999. If you may want to bring such a lawsuit, consider excluding yourself from the class (see section 6c above). If you want to receive the benefits of the settlement, consider filing a claim (see section 6a above).

**7. Do you need to hire your own attorney?**

With respect to hiring an attorney, your options are:

- a. not hire your own attorney and the judge will consider you to be represented by the attorneys for the class;
- b. hire an attorney to represent you at your own expense; or
- c. represent yourself.

**How do you or your attorney enter an appearance in this lawsuit?**

If you hire your own attorney to appear at the hearing or if you plan to appear at the hearing and chose to represent yourself, you or your attorney must complete and mail the enclosed **GREEN FORM** postmarked by November 1, 2001.

**8. Will there be a hearing in court about this proposed settlement? Should you attend the hearing?**

On November 15, 2001 at 9am, Judge Jones will hold a hearing on the proposed settlement in courtroom #5 in the Federal Courthouse located at 75 Spring Street, Any Town, US. The purpose of the hearing is to determine whether the proposed settlement is fair, reasonable, and adequate, and deserves court approval. Judge Jones will also consider the requests by attorneys for the class for attorney fees and expenses. You may attend the hearing but you are not required to attend. Instead of attending the hearing, you may send the court a written statement of objections or comments as described in section 6b above.

If you attend the hearing and if you have filed a written statement before November 1, 2001 as described above, you or your attorney will be entitled to briefly state your objections to, or comments on, the proposed settlement. Your written statement (if filed on time) will be considered whether or not you appear at the hearing. You may be asked questions at the hearing.

**9. How will the settlement fund be distributed?**

Each claim will be reviewed by the claims administrator under the supervision of attorneys for the class. Together, they will decide if your claim satisfies the terms for eligibility as described in the settlement agreement. You will be eligible to receive a part of the net settlement fund only if you are a class member (see section 3 above) and filed a valid claim (see section 6a above).

The claims administrator will notify you in writing if your claim has been rejected and will give you the reasons for any such rejection. You will have thirty days after that to correct any deficiencies in your claim.

As described above, the terms of the proposed settlement call for defendants to create a settlement fund of \$10,000,000.00. If Judge Jones approves the proposed settlement, the \$10,000,000.00 will be distributed as follows: up to \$3,000,000.00 will be awarded as attorney fees, expenses, and the costs of administering the settlement.

If Judge Jones approves the proposed settlement, each eligible class member who submits a valid claim will receive a payment in the form of a check. The amount of each check will be based on the number of shares purchased in relation to the number of shares purchased by all the class members who filed valid claims. The claims administrator expects to distribute checks within six months of the judge's action on the proposed settlement.

**10. Where can you get additional information?**

This notice provides only a summary of matters regarding the lawsuit. Other documents and court orders in the lawsuit provide greater detail and may clarify matters that are described only in general or summary terms in this notice. The settlement agreement dated October 4, 2000 may be of special interest. If there is any difference between this notice and the settlement agreement, the language of the settlement agreement controls. Copies of the settlement agreement, other documents, court orders, and other information related to the lawsuit may be examined at **www.xyzclassaction.com** on the Internet.

You may also obtain a copy of the settlement agreement and other information by calling **1-800-555-1234**. You may examine the settlement agreement, the court orders, and the other papers filed in the lawsuit at the Office of the Clerk of the U.S. District Court at 75 Spring Street, Any Town, US 12345 during regular business hours.

If you wish, you may seek the advice and guidance of your own attorney, at your own expense.

If you wish to communicate with or obtain information from attorneys for the class, you may do so by letter [or e-mail] at the address listed below. You should address any inquiries concerning a claim or other matters described in this notice to either:

The Claims Administrator  
P.O. Box 32453  
Any Town, US 12345

Email: admin@xyz.com

or

Attorneys for the class  
P.O. Box 1628  
Any Town, US 12345

Email: classatt@xyz.net

The parties created the above sources specifically to provide information about this case. They welcome your calls, e-mails, or letters. Please do not call the judge or the clerk of the court.

Dated: October 4, 2000.

By order of the District Court

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Jane Jones

United States District Judge

**Summary of Options, Forms, Deadlines, and Consequences**

<b>If you want to:</b>	<b>File this form:</b>	<b>Postmarked by this date:</b>	<b>Then:</b>	<b>You may also file:</b>
<p>Object to or comment on the class action (see page 6) and/or enter an appearance for you or your attorney (see page 7)</p>	<p><b>GREEN FORM</b> (Objection/Appearance Form)  <b>if you want to file a claim you must also file a BLUE FORM (see below)</b></p>	<p>November 1, 2001</p>	<p>The Judge will:</p> <ul style="list-style-type: none"> <li>• consider your objections and comments in deciding whether she will approve the settlement</li> <li>• You or your attorney may participate at the hearing</li> </ul>	<p><b>BLUE FORM</b> (Claim Form)</p>
<p>Exclude yourself from the class action (see page 6)</p>	<p><b>PURPLE FORM</b> (Exclusion Form)</p>	<p>November 1, 2001</p>	<p>You will:</p> <ul style="list-style-type: none"> <li>• not share in the benefits of the settlement;</li> <li>• be free to pursue by other legal action any claims you may have against XYZ Corporation.</li> </ul>	<p><b>Do not fill out any other forms</b></p>
<p>File a claim (see page 5)</p>	<p><b>BLUE FORM</b> (Claim Form)</p>	<p>December 3, 2001</p>	<p>You will:</p> <ul style="list-style-type: none"> <li>• be bound by the proposed settlement if the court approves it;</li> <li>• share in the settlement if your claim is valid;</li> <li>• be prohibited from suing defendant based on the alleged wrongdoing.</li> </ul>	<p><b>GREEN FORM</b> (Objection/Appearance Form)</p>

## Instructions for Table A

### How to use the table

STEP 1: Go to the table on page 12 and find the date you bought your XYZ stock

STEP 2: Multiply the number of shares you bought by the estimated inflation for that date (this is your approximate recovery if you did not sell any of this stock during 1999)

### **If you sold any of your XYZ stock during 1999 go to STEP 3**

STEP 3: Go to the table on page 12 and find the date you sold your XYZ stock

STEP 4: Multiply the number of shares you sold by the estimated inflation for that date

STEP 5: Subtract the amount calculated in STEP 4 from the amount calculated in STEP 2

*Example:* Suppose you bought 500 shares of XYZ stock on March 31, 1999 and sold 400 shares of XYZ stock on August 27, 1999.

STEP 1:        3/31/99        estimated inflation = \$8.03

STEP 2:        500 shares x \$8.03 = \$4,015

STEP 3:        8/27/99        estimated inflation = \$5.89

STEP 4:        400 shares x \$5.89 = \$2,356

STEP 5:        \$4,015 - \$2,356 = \$1,659 (approximate recovery)

**Table A - Award Estimation**

Date	Estimated Inflation
1/2/99	3.01
1/5/99	2.67
1/6/99	2.67
1/7/99	2.62
1/8/99	2.50
1/9/99	2.41
1/12/99	2.44
1/13/99	2.52
1/14/99	2.52
1/15/99	2.48
1/16/99	2.45
1/20/99	4.11
1/21/99	4.07
1/22/99	4.15
1/23/99	4.07
1/26/99	3.94
1/27/99	3.88
1/28/99	4.18
1/29/99	4.15
1/30/99	4.09
2/2/99	3.99
2/3/99	3.96
2/4/99	4.09
2/5/99	4.35
2/6/99	4.88
2/9/99	4.94
2/10/99	5.00
2/11/99	5.02
2/12/99	4.96
2/13/99	5.19
2/17/99	5.60
2/18/99	5.53
2/19/99	5.47
2/20/99	5.30
2/23/99	5.45
2/24/99	5.43
2/25/99	5.49
2/26/99	5.87
2/27/99	5.87
3/2/99	5.53
3/3/99	5.60
3/4/99	5.53
3/5/99	5.43
3/6/99	5.41
3/9/99	5.76
3/10/99	5.64
3/11/99	5.49

Date	Estimated Inflation
3/12/99	5.74
3/13/99	5.74
3/16/99	5.72
3/17/99	5.72
3/18/99	5.93
3/19/99	5.94
3/20/99	5.83
3/23/99	5.93
3/24/99	6.13
3/25/99	6.47
3/26/99	6.95
3/27/99	7.12
3/30/99	7.57
3/31/99	8.03
4/1/99	7.95
4/2/99	8.37
4/3/99	7.95
4/6/99	8.10
4/7/99	8.08
4/8/99	8.08
4/9/99	8.18
4/13/99	8.14
4/14/99	8.16
4/15/99	8.25
4/16/99	8.25
4/17/99	8.31
4/20/99	8.14
4/21/99	8.22
4/22/99	8.07
4/23/99	8.07
4/24/99	7.97
4/27/99	7.46
4/28/99	7.35
4/29/99	7.12
4/30/99	7.50
5/1/99	7.80
5/4/99	7.95
5/5/99	7.88
5/6/99	7.72
5/7/99	7.57
5/8/99	7.46
5/11/99	7.50
5/12/99	7.46
5/13/99	7.46
5/14/99	7.36
5/15/99	7.40
5/18/99	7.42

Date	Estimated Inflation
5/19/99	7.19
5/20/99	7.08
5/21/99	7.36
5/22/99	7.35
5/26/99	7.36
5/27/99	7.36
5/28/99	7.33
5/29/99	7.38
6/1/99	7.40
6/2/99	7.42
6/3/99	7.54
6/4/99	7.69
6/5/99	7.84
6/8/99	8.29
6/9/99	8.42
6/10/99	8.67
6/11/99	8.90
6/12/99	9.03
6/15/99	8.73
6/16/99	8.67
6/17/99	8.50
6/18/99	8.41
6/19/99	8.75
6/22/99	8.90
6/23/99	9.11
6/24/99	9.64
6/25/99	9.60
6/26/99	9.77
6/29/99	9.56
6/30/99	8.86
7/1/99	9.14
7/2/99	9.20
7/6/99	9.05
7/7/99	9.01
7/8/99	8.97
7/9/99	8.92
7/13/99	8.84
7/14/99	8.90
7/15/99	8.88
7/16/99	8.86
7/17/99	8.86
7/20/99	9.69
7/21/99	8.48
7/22/99	8.25
7/23/99	7.65
7/24/99	7.76
7/27/99	7.76

**Table A - Award Estimation**

Date	Estimated Inflation
7/29/99	7.42
7/30/99	7.50
7/31/99	7.27
8/3/99	7.06
8/4/99	7.16
8/5/99	7.46
8/6/99	7.78
8/7/99	7.93
8/10/99	7.86
8/11/99	7.55
8/12/99	7.57
8/13/99	7.55
8/14/99	7.50
8/17/99	7.50
8/18/99	8.03
8/19/99	8.08
8/20/99	7.99
8/21/99	7.82
8/24/99	7.57
8/25/99	7.08
8/26/99	6.27
8/27/99	5.89
8/28/99	5.66
8/31/99	5.13
9/1/99	5.36
9/2/99	6.19
9/3/99	5.83
9/4/99	5.77
9/8/99	6.21
9/9/99	6.02
9/10/99	5.59
9/11/99	5.47
9/14/99	5.74
9/15/99	6.04
9/16/99	5.91
9/17/99	5.93
9/18/99	6.44
9/21/99	6.36
9/22/99	6.78
9/23/99	6.76
9/24/99	6.53
9/25/99	5.89
9/28/99	5.72
9/29/99	5.43
9/30/99	5.15
10/1/99	3.99

Date	Estimated Inflation
10/5/99	4.20
10/6/99	4.18
10/7/99	3.90
10/8/99	3.75
10/9/99	3.64
10/12/99	4.05
10/13/99	3.98
10/14/99	3.86
10/15/99	3.86
10/16/99	3.79
10/19/99	3.84
10/20/99	4.39
10/21/99	3.90
10/22/99	3.94
10/23/99	3.64
10/26/99	3.64
10/27/99	3.84
10/28/99	4.24
10/29/99	4.37
10/30/99	4.54
11/2/99	4.81
11/3/99	5.30
11/4/99	5.60
11/5/99	5.96
11/6/99	5.98
11/9/99	6.06
11/10/99	5.89
11/11/99	5.72
11/12/99	5.45
11/13/99	5.51
11/16/99	5.70
11/17/99	5.76
11/18/99	5.93
11/19/99	6.10
11/20/99	6.04
11/23/99	6.06
11/24/99	5.85
11/25/99	5.76
11/27/99	5.76
11/30/99	5.83
12/1/99	5.72
12/2/99	5.68
12/3/99	5.66
12/4/99	3.49
12/7/99	1.54
12/8/99	1.58

Date	Estimated Inflation
12/10/99	1.58
12/11/99	1.65
12/14/99	1.54
12/15/99	1.61
12/16/99	1.56
12/17/99	1.54
12/18/99	1.64
12/21/99	1.70
12/22/99	1.60
12/23/99	1.63
12/24/99	1.63
12/28/99	1.72
12/29/99	1.74
12/30/99	1.76
12/31/99	1.86

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF STATE**

John Smith and Mary North, on behalf of themselves  
and all others with similar claims,  
Plaintiffs

v.

Civil Action No. 00-1234

XYZ Corporation  
and  
Anne Adams,  
Defendants

---

**CLAIM FORM**

(see page 5 of notice)

**File this form if you are eligible and want to participate in the class action. If you also want to object to or comment on the proposed settlement and/or enter an appearance for yourself or your attorney, you need to file a **GREEN FORM**. If you file this **BLUE FORM**, do not file an **Exclusion Form (PURPLE FORM)**.**

If you want to be eligible to participate in the distribution of the settlement fund, you must complete and mail and postmark this form by December 3, 2001 to:

Claims Administrator  
P.O. Box 32453  
Any Town, US 12345

Retain records of purchases, such as confirmations, statements, and similar documents related to your purchase of XYZ Corporation stocks in 1999.

**Section I. Identification** (Please type or print)

Your name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

Email address (if any) \_\_\_\_\_

## Section II. Purchases of shares of stock in XYZ Corporation

Please type or print your answers to the following questions. Attach additional sheets if necessary.

1. On what date in 1999 did you purchase shares of XYZ Corporation stock?
2. How many shares did you purchase on that date?
3. Did you sell any of these shares during 1999?
4. If yes, how many shares did you sell during 1999?
5. On what date(s) did you sell these shares?

I understand that, if the proposed settlement is approved, I am, by signing and mailing this Claim Form, giving up any rights I might have to bring a lawsuit based on the alleged overstatement of earnings in relation to the purchase of shares of stock of the XYZ Corporation during the period from January 2, 1999 through December 31, 1999. In exchange, I will receive any share of the settlement to which I may be entitled.

Your signature \_\_\_\_\_

Date: \_\_\_\_\_

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF STATE**

John Smith and Mary North, on behalf of themselves  
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Plaintiffs

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**OBJECTION/APPEARANCE FORM**

(see pages 6-7 of notice)

File this form if you plan to object to or comment on the proposed settlement. In order to file a claim, you must also submit a **BLUE FORM**. If you plan on hiring an attorney to appear at the hearing, you must fill out the attorney information in Section II below.

By submitting this form, I am objecting to or commenting on the proposed class action settlement in this case. Please check the appropriate box or boxes below if you or your attorney will appear at the hearing scheduled in this case for November 15, 2001 at 9:00 A.M. in the courtroom of Judge Jones, located at 75 Main Street, Any Town, US:

- I will appear at the hearing (fill out section I below)  
 My attorney will appear at the hearing (fill out sections I and II below)  
 I will not appear at the hearing (fill out section I below)

Your signature \_\_\_\_\_ Date: \_\_\_\_\_

**Section I: (Please type or print)**

Your name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail address (if any) \_\_\_\_\_

**(Additional information on the back of this form.)**

**Section II (see section 7 of Notice):**

**Please type or print the name and address of your attorney (if you have one):**

Attorney's name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail address (if any) \_\_\_\_\_

**Remember to attach to this form your written statement detailing your reasons for objecting to or commenting on the proposed settlement.**

Please mail this form and your written statement postmarked by November 1, 2001 to:

Clerk of the United States District Court for the Northern District of State  
P.O. Box 6226  
Any Town, US 12345

You must at the same time send a copy of this objection form and your written statement to the lead attorney for the class:

Herman Green, Esq.  
P.O. Box 1628  
Any Town, US 12345

and to defendant's attorney:

John Simmons, Esq.  
835 Peach Street  
Suite 950  
Any Town, US 12345

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF STATE**

John Smith and Mary North, on behalf of themselves  
and all others with similar claims  
Plaintiffs

v.

Civil Action No. 00-1234

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Anne Adams,  
Defendants

---

**EXCLUSION FORM**  
(see page 6 of notice)

**File this form if you plan on excluding yourself from the lawsuit. If you file this form, do not file any other form.**

If you want to exclude yourself from the class, you must complete this form and mail and postmark it by November 1, 2001 to:

Claims Administrator  
P.O. Box 32453  
Any Town, US 12345

Each purchaser of XYZ Corporation stock who wishes to be excluded from the class should complete and mail a separate Notice of Exclusion Form.

I have received the Notice of Proposed Class Action Settlement, Right to Exclusion, and Hearing, dated October 4, 2000 and do **NOT** wish to remain a member of the plaintiff class certified in the case of Smith v. XYZ Corporation, Civil Action No. 00-1234, in the United States District Court for the Northern District of State.

**(Additional information and signature line are on the back of this form.)**

I understand that by signing and mailing this form:

- I will not receive any of the monetary benefits of the proposed settlement as described in the Notice of Proposed Class Action Settlement, Right to Exclusion, and Hearing;
- I will not be represented in this action as a class member; and
- I may pursue, at my own expense, whatever claims I may have against any of the defendants, including claims regarding the alleged overstatement of earnings in relation to the purchase of shares of stock of the XYZ Corporation during the period from January 2, 1999 through December 31, 1999. I understand that I would have to prove any claim I might file, and that any claim would be subject to any defenses defendants may have.

Your signature \_\_\_\_\_

Date: \_\_\_\_\_

**Please type or print:**

Your name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

Email address (if any) \_\_\_\_\_