

## Brodsky & Smith, LLC

Two Bala Plaza, Suite 602  
Bala Cynwyd, PA 19004  
610.667.6200  
610.667.9029 (fax)

TO: All Shareholders/Investors

Re: **Class Action Securities Litigation**

Dear Shareholder:

Thank you for contacting us regarding the class action lawsuit. Attached is a copy of the certification and retainer agreement. If you have not viewed the complaint on our website, we can fax or mail you a copy of the complaint if you advise us of your facsimile number and/or address. If you already have, we will forward it to you shortly. The Complaint outlines the allegations against the company. If you have reviewed the complaint online (or after you have reviewed the complaint that we forward to you), kindly fill out the one page certification.

On the certification form, please remember to

- 1) print **and** sign your name,
- 2) print the **name of the company or stock symbol** of the company **on line four of the certification**, and
- 3) return it to us via **facsimile** at 610.667.9029 and **regular mail** to:

Evan J. Smith, Esquire  
Brodsky & Smith, L.L.C.  
Two Bala Plaza, Suite 602  
Bala Cynwyd, PA 19004

Once we receive your signed certification and retainer agreement we will be happy to sign you up for the proposed class with our office at that time. Please be advised that there will be no attorneys' fees and/or costs charged directly to you. Any fees and/or costs must be approved by the Court and will come out of any settlement or verdict obtained on behalf of the class. In the event the class is not certified, or the case does not prevail, there will be no attorneys' fees and/or costs charged to you. In the event there is a settlement or money obtained for the class, you will be entitled to receive your pro rata share of the settlement.

Should you have any questions, please feel free to contact me at any time at 610.667.6200 or email us at [clients@brodsky-smith.com](mailto:clients@brodsky-smith.com). Thank you and we look forward to receiving your signed certification and retainer agreement.

Very truly yours,

*s/Evan J. Smith, Esquire*

Evan J. Smith

EJS:jf  
Enclosure

**PLAINTIFF'S CERTIFICATION**

I, (Mr./Ms.) \_\_\_\_\_, ("Plaintiff") declare under penalty of perjury, as to the claims asserted under the federal securities laws, that:

1. Plaintiff has reviewed the complaint and authorized the commencement of an action on Plaintiff's behalf.

2. Plaintiff did not purchase the security that is the subject of this action at the direction of plaintiff's counsel or in order to participate in this private action.

3. Plaintiff is willing to serve as a representative party on behalf of the class, including providing testimony at deposition and trial, if necessary.

4. Plaintiff's transactions in \_\_\_\_\_ of securities during the Class Period specified in the Complaint are as follows (use additional sheet if necessary):

<b><u>Date</u></b>	<b><u># of Shares Purchased</u></b>	<b><u># of Shares Sold</u></b>	<b><u>Price</u></b>
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5. During the three years prior to the date of this Certificate, Plaintiff has not sought to serve or served as a representative party for a class in an action filed under the federal securities laws. [Or, Plaintiff has served as a class representative in the action(s) listed as follows:]

6. Plaintiff will not accept any payment for serving as a representative party on behalf of the class beyond the Plaintiff's pro rata share of any recovery, except such reasonable costs and expenses (including lost wages) directly relating to the representation of the class as ordered or approved by the court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this \_\_\_\_ day of \_\_\_\_\_, 200\_.

Sign Name: \_\_\_\_\_  
Print Name:  
Address:  
State, Zip Code:  
County:  
Country (if not USA):

## Brodsky & Smith, LLC

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### **Re: Class Action Securities Litigation**

Dear Shareholder:

This will confirm that you agree that our firm will represent your interests in the class action litigation in which you signed the shareholder certification and returned to our office. You should read this letter carefully because it contains important information about your rights.

We agree to represent you and other class members in this litigation on a fully **contingent** basis. This means that if, and only if, the lawsuit generates a fund for the class, will we seek payment of our fees. The payment of our fees and the reimbursement of our expenses in this case is subject to Court approval. It is our practice to seek to have our fees calculated as a percentage of the full amount of the fund, i.e. as a percentage of the amount in the fund before the deduction of our Court-approved fees and expenses. Historically, courts have awarded between 25% to 40% of the total amount recovered for the class as appropriate legal fees plus reimbursement for all out-of-pocket expenses incurred by the attorneys. If there is no recovery for the class, we will recover no fees. We agree to advance all costs and expenses that we deem necessary to prosecute the case. Such costs and expenses typically include items such as telephone, copying and mailing charges, as well as more substantial items, such as the cost of travel, deposition and trial transcripts, and expert witness and consultant fees. If the lawsuit generates a fund for the class, we will seek, exclusively by application to the Court, to have our costs and expenses paid from the fund.

With respect to any monies recovered from defendants on behalf of the class, such fund, after deduction of Court-approved attorneys' fees and expenses, will be divided amongst the members of the class under Court supervision on a proportionate basis determined by the loss incurred by each of the members of the class.

Please be advised that we work closely with other law firms who may be co-counsel and/or referral firms in this litigation. You understand and agree that in the course of this class litigation, we may, without further notice to you, employ and/or work with other law firms, and that we may divide any fees we may receive with such other law firms in proportion to the services performed by each firm.

We look forward to representing you as we prosecute these claims to recover the losses and damages which you and the other investors in the above referenced stock have suffered as a result of the wrongdoing perpetrated by the defendants. If the foregoing is agreeable to you, please sign the bottom of this correspondence acknowledging the above, and return the original to us via **regular mail** and by **facsimile (610.667.9029)**. You may retain the duplicate copy for your records. We will contact you in the event we need to discuss any pertinent matters with you. Should you have any questions, please feel free to contact us at any time.

Very truly yours,

**BRODSKY & SMITH, LLC**

By: /s/ Evan J. Smith, Esquire  
Evan J. Smith, Esquire

AGREED:

Sign Name: \_\_\_\_\_ Dated: \_\_\_\_\_

Print Name:

Street Address:

City/State/Zip Code:

County:

Work Telephone:

Home Telephone:

Email address:

Are you a current employee? Yes/No (Circle One)

**PURCHASING HISTORY QUESTIONNAIRE**

If you know the answers to the following questions regarding your purchasing history of this company's stock, please answer to the best of your knowledge. Please do not allow these questions to delay your filling out and returning of your certification form and retainer agreement. You can send this form at a later time.

Name or Symbol of the Company: \_\_\_\_\_ (Please fill in)

1. Are you a current or former employee and/or purchased shares through the Company's 401(k) plan? Yes/No (Circle One)

2. If yes, how many shares do you currently own in the Company's 401(k) plan?

\_\_\_\_\_

3. Do you currently still hold shares? Yes/No (Circle One)

4. If yes, how many shares do you currently still hold?

\_\_\_\_\_

5. If you still hold shares, what was the date you first purchased shares of the company's stock?

\_\_\_\_\_ (date)

6. Did you hold at least one share of the Company's stock at all times since the date you **first** purchased the shares? Yes/No (Circle One)

Sign Name: \_\_\_\_\_

Dated: \_\_\_\_\_

Print Name: