

2009 LITIGATIONS OVER ACQUISITIONS OF PUBLIC COMPANIES BASED IN CALIFORNIA (OVER \$100M)

Deals announced prior to August 31, 2009 are ordered by deal size.

Transaction	Courts	Status	Approx. Deal Size	Fees Negotiated	Preliminary Injunction Application?
Acquisition of Genentech Inc. by Roche Holding AG	Delaware Chancery	Settled	\$46.8B	\$24.5M	Yes. Court reserved judgment and case then settled.
	U.S. District Court (N.D. Cal.)	Parties stipulated to dismissal after settlement			
	Cal. Superior Court (San Francisco / San Mateo Counties)	Parties stipulated to dismissal after settlement			
Acquisition of Sun Microsystems, Inc. by Oracle Corp.	Cal. Superior Court (Santa Clara County)	Resolved (Defendants' demurrer sustained)	\$7.4B	N/A	Yes. Court denied motion.
Acquisition of Advanced Medical Optics, Inc. by Abbott Laboratories	Cal. Superior Court (Orange County)	Settled	\$2.8B	\$1.3M	No.
Acquisition of Ticketmaster Entertainment, Inc. by Live Nation, Inc.	Cal. Superior Court (Los Angeles County)	Pending	\$2.5B	N/A	No.
Acquisition of Data Domain, Inc. by Network Appliance Inc. (NetApp Inc.)	Delaware Chancery	Pending	\$1.8B- \$1.9B	N/A	Yes. No ruling.
Acquisition of Varian, Inc. by Agilent Technologies, Inc.	Cal. Superior Court (Santa Clara County)	Settled	\$1.5B	\$625K	No.
Acquisition of CV Therapeutics Inc. by Gilead Sciences Inc.	Cal. Superior Court (Santa Clara County)	Dismissed pursuant to stipulation	\$1.4B	N/A	Yes. Court denied motion.
Acquisition of Mentor Corp. by Johnson & Johnson, Inc.	U.S. District Court (C.D. Cal.)	Voluntarily dismissed	\$1.1B	N/A	No.
	Cal. Superior Court (Santa Barbara County)	Pending			
Acquisition of Cougar Biotechnology Inc. by Johnson & Johnson, Inc.	Cal. Superior Court (Los Angeles County)	Dismissed pursuant to stipulation	\$1.0B	N/A	No.
Acquisition of Emulex Corp. by Broadcom Corp.	Delaware Chancery	Pending	\$912M- \$925M	N/A	Yes. No ruling.
Acquisition of Wind River Systems Inc. by Intel Corp.	Delaware Chancery	Settled	\$884M	\$700K	Yes. Case settled prior to ruling.
	Cal. Superior Court (Alameda County)	Stayed			

Transaction	Courts	Status	Approx. Deal Size	Fees Negotiated	Preliminary Injunction Application?
Acquisition of Interwoven Inc. by Autonomy Corp. PLC	Delaware Chancery	Settled	\$775M	\$375K	No.
Acquisition of VNUS Medical Technologies, Inc. by Covidien Ltd.	Cal. Superior Court (Santa Clara County)	Voluntarily dismissed	\$440M	N/A	No.
Acquisition of Charlotte Russe, Inc. by Advent International Corp.	Cal. Superior Court (San Diego County)	Settled	\$368M	TBA; fees not yet announced.	No.
Acquisition of MSC Software Corp. by Symphony Technology Group; Elliott Assoc. L.P.	Cal. Superior Court (Orange County)	Settled	\$360M	\$330K	No.
Acquisition of Transmeta Corp. by Novafora Inc.	Cal. Superior Court (Santa Clara County)	Settled	\$256M	\$450K	No.
Acquisition of First Advantage Corp. by First American Corp.	Delaware Chancery	Pending	\$218M	N/A	No.
Acquisition of Monogram Biosciences, Inc. by Laboratory Corp. of America Holdings	Delaware Chancery Cal. Superior Court (San Francisco / San Mateo Counties)	Settled	\$155M	\$215K \$65K	Yes. Case settled prior to ruling.
Acquisition of SiRF Technology Holdings Inc. by CSR PLC	Cal. Superior Court (Santa Clara County)	Pending	\$136M	N/A	No.
Acquisition of SumTotal Systems, Inc. by Vista Equity Partners Fund	Cal. Superior Court (Santa Clara County)	Stayed pending settlement	\$102M	TBA; fees not yet announced.	No.