

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT K. BELL, et al.,)	
)	Consolidated Civil Action No. 97-1265
vs.)	
FORE SYSTEMS, INC., et al.,)	Judge Cindrich
)	
)	

**NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION, HEARING ON
PROPOSED SETTLEMENT AND ATTORNEYS' FEE PETITION AND RIGHT TO SHARE IN SETTLEMENT FUND**

TO: ALL PERSONS WHO PURCHASED OR OTHERWISE ACQUIRED THE COMMON STOCK OF FORE SYSTEMS, INC. ("FORE") DURING THE PERIOD JULY 19, 1996 THROUGH APRIL 1, 1997, INCLUSIVE ("CLASS PERIOD"), AND WHO WERE DAMAGED THEREBY.

PLEASE READ THIS NOTICE CAREFULLY AND IN ITS ENTIRETY. YOUR RIGHTS WILL BE AFFECTED BY PROCEEDINGS IN THIS ACTION. IF YOU ARE A CLASS MEMBER, YOU ULTIMATELY MAY BE ENTITLED TO RECEIVE BENEFITS PURSUANT TO THE PROPOSED SETTLEMENT DESCRIBED HEREIN.

CLAIMS DEADLINE: CLAIMANTS MUST SUBMIT PROOFS OF CLAIM, ON THE FORM ACCOMPANYING THIS NOTICE, POSTMARKED ON OR BEFORE JANUARY 14, 2004.

SECURITIES BROKERS AND OTHER NOMINEES: PLEASE SEE INSTRUCTIONS ON PAGE 6 HEREIN.

SUMMARY OF SETTLEMENTS AND RELATED MATTERS

I. Purpose of this Notice

1. This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the Court dated September 26, 2003. The purpose of this Settlement Notice is to inform you that this Action, and the proposed Settlement, will affect all Class Members' rights. This Settlement Notice describes rights you may have under the proposed Settlement and what steps you may take in relation to this Action. This Settlement 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 this Action, or the fairness or adequacy of the proposed Settlement.

II. Statement of Plaintiff Recovery

2. Pursuant to the Settlement described herein, a Settlement Fund consisting of \$11.7 million in cash, plus interest, has been established. Plaintiffs estimate that there were approximately 51.1 million shares of FORE common stock traded during the Class Period which may have been damaged as a result of the alleged conduct. Plaintiffs estimate that the average recovery per damaged share of FORE common stock under the Settlement is \$0.23 per damaged share before deduction of Court-awarded attorneys' fees and expenses. Depending on the number of claims submitted, when during the Class Period a Class Member purchased or otherwise acquired his or her shares of FORE common stock, and whether those shares were held at the end of the Class Period or sold during the Class Period, and if sold, when they were sold, an individual Class Member may receive more or less than this average amount.

3. Under the relevant securities laws, a claimant's recoverable damages are limited to the losses attributable to the alleged securities law violations. Losses which resulted from factors other than an alleged securities law violation are not recoverable from the Settlement Fund. For purposes of the Settlement herein, a Class Member's distribution from the Net Settlement Fund will be governed by the proposed Plan of Allocation described below at paragraphs 34-43, or such other Plan of Allocation as may be approved by the Court.

III. Statement of Potential Outcome of Case

4. The parties disagreed on both liability and damages and do not agree on the average amount of damages per share that would be recoverable if plaintiffs were to have prevailed on each claim alleged. The issues on which the parties disagree include: the appropriate economic model for determining the amount by which FORE common stock was allegedly artificially inflated (if at all) during the Class Period; the amount by which FORE common stock was allegedly artificially inflated (if at all) during the Class Period; the effect of various market forces influencing the trading price of FORE common stock at various times during the Class Period; the extent to which external factors, such as general market and industry conditions, influenced the trading price of FORE common stock at various times during the Class Period; the extent to which the various matters that plaintiffs alleged were materially false or misleading influenced (if at all) the trading price of FORE common stock at various times during the Class Period; the extent to which the various allegedly adverse material facts that plaintiffs alleged were omitted influenced (if at all) the trading price of FORE common stock at various times during the Class Period; and whether the statements made or facts allegedly omitted were material or otherwise actionable under the federal securities laws.

5. Plaintiffs' Counsel considered the uncertainty and risk of the outcome of any litigation, especially complex litigation such as this, and the risks inherent in the trial of such an action. There are substantial risks that plaintiffs and the Class they represent would have to overcome to recover any funds from Defendants, even if they had pursued their claims through a trial and appeals. There is a risk that plaintiffs might not have prevailed on all their claims against Defendants. A jury might not hold Defendants liable to plaintiffs if, for example, the jury found that Defendants' conduct did not violate any securities laws. In addition, there is a substantial risk that continued litigation would not result in any greater recovery due to the distressed financial condition of FORE's successor-in-interest, Marconi plc.

6. The Defendants deny that they are liable to the plaintiffs or the Class, deny that they have violated any laws and deny that plaintiffs or the Class have suffered any damages.

IV. Statement of Attorneys' Fees and Costs Sought

7. Plaintiffs' Counsel intend to apply for fees of up to one-third (33%) of the Gross Settlement Fund, and for reimbursement of expenses incurred in connection with the prosecution of this Action in the approximate amount of \$1,050,000. The requested fees and expenses would amount to an average of

9.7¢ per damaged share in total for fees and expenses. Plaintiffs' Counsel have expended considerable time and effort in the prosecution of this litigation on a contingent fee basis, and have advanced the expenses of the litigation, in the expectation that if they were successful in obtaining a recovery for the Class they would be paid from such recovery. In this type of litigation it is customary for counsel to be awarded a percentage of the common fund recovery as their attorneys' fees.

V. Further Information

8. Further information regarding the Action and this Settlement Notice may be obtained by contacting Plaintiffs' Co-Lead Counsel: Robert A. Hoffman, Esq., Barrack, Rodos & Bacine, 3300 Two Commerce Square, 2001 Market Street, Philadelphia, Pennsylvania 19105, Telephone (215) 963-0600 and William C. Fredericks, Esq., Milberg Weiss Bershad Hynes & Lerach LLP, One Pennsylvania Plaza, New York, New York 10119-0165, Telephone (212) 594-5300.

VI. Reasons for the Settlement

9. The principal reason for the Settlement is the benefit to be provided to the Class now. This benefit must be compared to the risk that no recovery might be achieved after a contested trial and likely appeals, possibly years into the future.

NOTICE OF SETTLEMENT FAIRNESS HEARING

10. NOTICE IS HEREBY GIVEN, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Western District of Pennsylvania (the "Court") dated September 26, 2003, that a hearing will be held before the Honorable Robert J. Cindrich in the United States Courthouse, Seventh Avenue & Grant Street, Pittsburgh, Pennsylvania 15219, at 10:30 a.m., on December 15, 2003 (the "Settlement Fairness Hearing") to determine whether a proposed settlement (the "Settlement") of the above-captioned action (the "Action") as set forth in the Stipulation and Agreement of Settlement dated September 23, 2003 (the "Stipulation"), is fair, reasonable and adequate and to consider the proposed Plan of Allocation for the Settlement proceeds and the application of Plaintiffs' Counsel for attorneys' fees and reimbursement of expenses.

11. The Court, by Orders dated March 3, 1999 and June 20, 2001, certified this Action to proceed as a class action and certified Lead Plaintiffs Robert K. Bell, Alexander Haff, David Haimbaugh and Michael Roy Underwood as class representatives on behalf of a Class consisting of all persons who purchased or otherwise acquired the common stock of FORE Systems, Inc. ("FORE") during the period July 19, 1996 through April 1, 1997, inclusive, and who were damaged thereby. Excluded from the Class are Defendants, the officers and directors of FORE Systems, Inc. at all relevant times, members of their immediate families, their legal representatives, heirs, successors or assigns, and any entity in which Defendants have or had a controlling interest. A notice of the pendency of this Action as a class action (the "Notice of Pendency") dated March 21, 2002 was mailed to Class Members on April 1, 2002 and a summary notice was published in the *Pittsburgh Post-Gazette* and in *The New York Times* on April 5, 2002. If you submitted a request for exclusion in accordance with the requirements set forth in the Notice of Pendency, then you are excluded and may not submit a Proof of Claim herein.

BACKGROUND OF THE LITIGATION

12. Beginning on July 11, 1997, seven class actions alleging violations of federal securities laws – *Bell, et al. v. FORE Systems, Inc., et al.*, Civil Action No. 97-1265; *Haff, et al. v. FORE Systems, Inc., et al.*, Civil Action No. 97-1307; *Lazzaro, et al. v. FORE Systems, Inc., et al.*, Civil Action No. 97-1393; *Meridian Capital Funding, Inc., et al. v. FORE Systems, Inc., et al.*, Civil Action No. 97-1469; *Chiostrri, et al. v. FORE Systems, Inc., et al.*, Civil Action No. 97-1540; *Davidson, et al. v. FORE Systems, Inc., et al.*, Civil Action No. 97-1606; and *Federbusch, et al. v. FORE Systems, Inc., et al.*, Civil Action No. 97-1405 – were filed in this Court and, by Order dated October 22, 1997, were subsequently consolidated under the caption above, and are hereinafter referred to as the "Action."

13. The Court, by Order dated June 29, 1998, denied the Defendants' motion to dismiss the Consolidated Amended Complaint dated December 31, 1997.

14. On July 27, 1998, Defendants filed their answer to the Consolidated Amended Complaint in which they denied any wrongdoing and asserted affirmative defenses.

15. The Corrected Second Consolidated Amended Class Action Complaint For Violations of Federal Securities Laws dated January 7, 1999 filed in the Action (the "Complaint") generally alleges, among other things, that Defendants issued materially false and misleading press releases and other statements during the Class Period – July 19, 1996 through and including April 1, 1997 – in a scheme to artificially inflate the value of FORE's securities.

16. The Complaint further alleges that plaintiffs and the other Class Members purchased or otherwise acquired the common stock of FORE during the Class Period at prices artificially inflated as a result of the Defendants' dissemination of materially false and misleading statements regarding FORE in violation of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, and Rule 10b-5 promulgated thereunder.

17. On June 17, 1999, The General Electric Company, p.l.c. ("GEC") acquired FORE Systems, Inc. in a cash tender offer for approximately \$4.5 billion (approximately £2.9 billion). By November 29, 1999, GEC was renamed Marconi Corporation plc. and became an indirect wholly-owned subsidiary of Marconi plc ("Marconi"). Marconi was incorporated on September 17, 1999. Its ordinary shares were listed on the London Stock Exchange on November 30, 1999 when it became the new holding company of the remaining businesses of Marconi Corporation plc (formerly GEC). Marconi's American Depositary Receipts (ADRs) were traded on the Nasdaq. On May 16, 2002, Marconi announced debt restructuring discussions were ongoing with syndicate banks and certain bondholder representatives that could lead to a dilution of value for existing shareholders. On July 3, 2002, Marconi's ADRs were delisted from the Nasdaq. On August 29, 2002, Marconi announced it sought a proposed restructuring of its principal financial obligations. On May 15, 2003, Marconi plc received approval from the United States Bankruptcy Court for the Southern District of New York for its restructuring. As part of the restructuring, trading in its shares ceased as of May 16, 2003 and shares in the restructured company began trading again thereafter.

18. The Court, by Order dated July 14, 1999, denied the Defendants' motion to dismiss the Corrected Second Consolidated Amended Complaint and Defendants' alternative motion for summary judgment.

19. On August 18, 1999, Defendants filed their answer to the Corrected Second Consolidated Amended Complaint in which they denied any wrongdoing and asserted affirmative defenses.

BACKGROUND TO THE SETTLEMENT

20. Plaintiffs, by their counsel, have conducted discussions and arm's-length negotiations with counsel for Defendants with respect to a compromise and settlement of the Action with a view to settling the issues in dispute and achieving the best relief possible consistent with the interests of the Class. The parties participated over multiple days in a mediation before an experienced mediator. The proposed Settlement described herein was the outcome of those meetings and discussions.

21. Plaintiffs' Counsel has analyzed the evidence adduced during pretrial discovery and have researched the applicable law with respect to the claims against Defendants and the defenses thereto. In connection therewith, Plaintiffs' Counsel reviewed hundreds of thousands of documents produced by FORE and non-parties and have made additional inquiries as to pertinent facts, including through consultation with accounting and damage experts. As part of this investigation, Plaintiffs' Counsel served document requests on FORE and the Individual Defendants; reviewed and analyzed defendants' responses to the document requests; reviewed and analyzed documents produced by defendants, FORE's outside auditor, certain of FORE's customers and non-party securities analysts who followed FORE stock. Plaintiffs' Counsel also took the depositions of "fact" witnesses, including several of the Individual Defendants. Plaintiffs' Counsel also consulted extensively with experts retained to address the accounting issues in the case and the damages that Plaintiffs would seek to prove at trial. In addition, Plaintiffs' Counsel took the depositions of defendants' respective accounting and damages experts.

22. Plaintiffs' Counsel's decision to enter into this Settlement was made with knowledge of the facts and circumstances underlying plaintiffs' claims and the strengths and weaknesses of those claims. In determining to settle the Action, they have evaluated the extensive pre-trial investigation and discovery taken in the Action and taken into account the substantial expense and length of time necessary to prosecute the Action through trial, post-trial motions, and likely appeals, taking into consideration the significant uncertainties in predicting the outcome of this complex litigation. In addition, the distressed financial condition of FORE's successor-in-interest, Marconi plc, has created a substantial risk that continued litigation would not result in any additional recovery for the Class. Counsel for plaintiffs believe that the Settlement described herein confers very substantial benefits upon the Class. Based upon their consideration of all of these factors, plaintiffs and their counsel have concluded that it is in the best interest of plaintiffs and the Class to settle the Action on the terms described herein.

23. Plaintiffs recognized the uncertainty and the risk of the outcome of any litigation, especially complex litigation such as this, and the difficulties and risks inherent in the trial of such an action. Plaintiffs desired to settle the claims of the Class against Defendants on the terms and conditions described herein which provide substantial benefits to the Class. Plaintiffs' Counsel deem such settlement to be fair, reasonable and adequate, and in the best interests of the members of the Class.

24. The Defendants have denied all averments of wrongdoing or liability in the Action and all other accusations of wrongdoing or violations of law. The Defendants, while continuing to deny all allegations of wrongdoing or liability whatsoever, desired to settle and terminate all existing or potential claims against them, without in any way acknowledging any fault or liability. The Stipulation is not and shall not be construed or be deemed to be evidence or an admission or a concession on the part of any of the Defendants of any fault or liability or damages whatsoever, and Defendants do not concede any infirmity in the defenses which they have asserted or intended to assert in the Action.

25. The amount of damages, if any, that plaintiffs could prove was also a matter of serious dispute, and the Settlement's use of a Recognized Claim formula for distributing the Settlement proceeds does not constitute a finding, admission or concession that provable damages could be measured by the Recognized Claim formula. No determination has been made by the Court as to liability or the amount, if any, of damages suffered by the Class, nor on the proper measure of any such damages. The determination of damages, like the determination of liability, is a complicated and uncertain process, typically involving conflicting expert opinions. During the course of the Action, Defendants, in addition to denying any liability, disputed that plaintiffs and the Class were damaged by any wrongful conduct on the part of Defendants. The Settlement herein provides an immediate and substantial cash benefit and avoids the risks that liability or damages might not have been proven at trial.

26. The Court has not determined the merits of the plaintiffs' claims or the defenses thereto. This Settlement Notice does not imply that there has been or would be any finding of violation of the law or that recovery could be had in any amount if the Action were not settled.

TERMS OF THE SETTLEMENT

27. In full and complete settlement of the Settled Claims (as defined below), and subject to the terms and conditions of the Stipulation, Defendants have caused their insurers to pay \$11.7 million (the "Cash Settlement Amount") into escrow for the benefit of plaintiffs and the Class, which is earning interest for the benefit of the Class.

28. Pursuant to the Settlement, and on the Effective Date, plaintiffs and other members of the Class who have not previously excluded themselves therefrom on behalf of themselves, their heirs, executors, administrators, successors and assigns shall release and forever discharge, and shall forever be enjoined from prosecuting, the Released Parties (defined below) with respect to each and every Settled Claim (defined below).

29. The "Defendants" include the following, each of whom will be released from all Settled Claims: (1) FORE Systems, Inc. ("FORE"); (2) Eric C. Cooper (Chief Executive Officer and Chairman of the Board of FORE during the Class Period); (3) Onat Menzilcioglu (President and a member of the Board of Directors of FORE during the Class Period); (4) Francois J. Bitz (Vice President of Engineering and a member of the Board of Directors of FORE during the Class Period); (5) Robert D. Sansom (Vice President of Engineering and a member of the Board of Directors of FORE during the Class Period); (6) Thomas J. Gill (Chief Operating Officer, Chief Financial Officer, and Treasurer of FORE during the Class Period); and (7) Michael I. Green (Vice President of Worldwide Sales at FORE during the Class Period). In addition, the Settlement will release all Class Members' Settled Claims against any and all of the Individual Defendants, their heirs, successors and assigns, Defendant FORE Systems, its predecessors, successors and assigns, and any current or former director, officer or employee thereof, and Defendants' directors' and officers' liability insurance carriers, their agents, representatives, attorneys, successors, assigns, officers, employees, insurers and re-insurers in their capacities as such (collectively, the "Released Parties").

30. "Settled Claims" means any and all claims, rights or causes of action or liabilities, claims for sums of money, attorneys' fees, expenses, costs and any damages whatsoever, whether based on federal, state, local, statutory or common law or any other law, rule or regulation, including both known claims and unknown claims, that have been or could have been asserted in any forum by the Class Members or any of them against any of the Released Parties which arise out of or relate in any way to the allegations, transactions, facts, matters or occurrences, representations or omissions involved, set forth, referred to or

that could have been asserted in the Complaint relating to the purchase, acquisition, sale or transfer of shares of the common stock of FORE during the Class Period.

31. If the Settlement is approved by the Court, all Settled Claims will be dismissed on the merits and with prejudice as to all Class Members and all Class Members shall be forever barred from prosecuting a class action or any other action raising any Settled Claims against any Released Party.

32. The Settlement will become effective at such time as an Order entered by the Court approving the Settlement shall become final and not subject to appeal (the "Effective Date").

COVENANT NOT TO SUE

33. The Settlement further provides that, upon the Effective Date of this Settlement, Lead Plaintiff and all Class Members on behalf of themselves, their heirs, executors, administrators, successors and assigns, shall covenant not to assert against any of the Released Parties any claim or action derivatively on behalf of FORE which arise out of or are based upon the allegations, transactions, facts, matters or occurrences, representations or omissions involved, set forth, or referred to in the Complaint and relate to the purchase of shares of the common stock of FORE during the Class Period, and shall be barred and enjoined from commencing, instituting or prosecuting any such derivative claim.

PLAN OF ALLOCATION OF SETTLEMENT PROCEEDS AMONG CLASS MEMBERS

34. The \$11.7 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 distributed to members of the Class who submit acceptable Proofs of Claim ("Authorized Claimants").

35. The Claims Administrator shall determine each Authorized Claimant's *pro rata* share of the Net Settlement Fund based upon each Authorized Claimant's "Recognized Claim." The Recognized Claim formula is not intended to be an estimate of the amount that 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 Settlement Fund will be proportionately allocated to the Authorized Claimants.

36. The following Plan of Allocation reflects Plaintiffs' contention of a fair measure of potential damages and is based upon an event study analysis performed by Dr. Scott D. Hakala, Ph.D., CFA, of CBIZ Valuation Group, Inc. That analysis indicates that in Plaintiffs' view, during the Class period the price of FORE common stock was inflated artificially, and that from July 19, 1996 until October 17, 1996, the amount of the alleged artificial inflation was approximately \$10.58 per share, that from October 18, 1996 through January 26, 1997, the amount of the alleged artificial inflation was approximately \$13.54 per share, that from January 27, 1997 through March 6, 1997, the amount of the alleged inflation was approximately \$11.95 per share, and that for each day during the period March 7, 1997 through March 31, 1997 the amounts of the alleged inflation per share are the amounts shown on Schedule A below. The Defendants deny that the price of FORE common stock was inflated artificially and deny that Plaintiffs or any Class Members were damaged. The use of the proposed Plan of Allocation in this Settlement is not an admission or concession by Defendants that Plaintiffs of the Class were damaged or that any damages could be measured by the proposed Plan of Allocation.

37. "Recognized Claims" will be calculated for purposes of the Settlement as follows:

- (a) For each share of FORE common stock purchased during the period July 19, 1996 through and including October 17, 1996 and:
 - (i) Sold on or before March 6, 1997, there shall be no "Recognized Claim."
 - (ii) Sold, at a loss, during the period March 7, 1997 through and including March 31, 1997, the "Recognized Claim" shall be equal to \$10.58 less the inflation per share on the day sold as provided for in Schedule A.
 - (iii) Held at the close of trading on March 31, 1997, the "Recognized Claim" shall be \$10.58 per share.
- (b) For each share purchased during the period October 18, 1996 through and including January 26, 1997 and:
 - (i) Sold on or before January 26, 1997, there shall be no "Recognized Claim."
 - (ii) Sold at a loss during the period from January 27, 1997 through and including March 6, 1997, "Recognized Claim" shall be the lesser of (x) \$1.59 per share ($\$13.54 - \$11.95 = \1.59), or (y) the purchase price less the sales price.
 - (iii) Sold at a loss during the period March 7, 1997 through and including March 31, 1997, the "Recognized Claim" shall be equal to \$13.54 less the inflation per share on the day sold as provided for in Schedule A.
 - (iv) Held at the close of trading on March 31, 1997, the "Recognized Claim" shall be \$13.54 per share.
- (c) For each share purchased during the period January 27, 1997 through and including March 6, 1997 and:
 - (i) Sold at a loss on or before March 6, 1997, there shall be no "Recognized Claim."
 - (ii) Sold at a loss during the period from March 7, 1997 through and including March 31, 1997, the "Recognized Claim" shall be equal to \$11.95 less the inflation per share on the day sold as provided for in Schedule A.
 - (iii) Held at the close of trading on March 31, 1997, the "Recognized Claim" shall be \$11.95 per share.
- (d) For each share purchased during the period March 7, 1997 through and including March 31, 1997 and:
 - (i) Sold at a loss during the period from March 7, 1997 through and including March 31, 1997, the "Recognized Claim" shall be equal to the inflation per share on the day purchased, less the inflation per share on the day sold as provided for in Schedule A (provided that the inflation per share on the date of purchase was greater than the inflation per share on the day of sale).
 - (ii) Held at the close of trading on March 31, 1997, the "Recognized Claim" shall be equal to the inflation per share on the day purchased as shown on Schedule A.
- (e) For each share of FORE common stock purchased on April 1, 1997, there shall be no "Recognized Claim".

38. "Short" sales of FORE's stock shall not be recognized for any amount of loss on the cover, purchase or closing transaction and no Recognized Claim will be computed for any such covering purchase or closing transaction.

39. The receipt or grant of a gift of FORE stock during the Class Period shall not be deemed to be a purchase of FORE stock during the Class Period. However, the recipient of FORE stock as a gift or as a distribution from an estate shall be eligible to submit a Proof of Claim and Release form and participate in the Settlement to the extent the particular donor or decedent as the actual purchaser of FORE stock would have been eligible, based upon the circumstances of such purchase within the Class Period; however, the donee and donor may not both claim with regard to the same FORE stock. If both the donor and donee make such a claim, only the claim submitted by the donee will be honored.

40. Transactions resulting in a gain shall be excluded from the calculation of "Recognized Claims." Class Members who had multiple purchases and/or sales of shares of FORE common stock shall have such purchases and sales matched on the first-in/first-out (FIFO) method, matching the first sales during the Class Period first against any shares of FORE common stock owned prior to the Class Period, and then against the first shares of FORE common stock purchased during the Class Period.

41. Each Authorized Claimant shall be allocated a *pro rata* share of the Net Settlement Fund based on his, her or its Recognized Claim as compared to the total Recognized Claims of all Authorized Claimants.

42. Class Members who do not submit acceptable Proofs of Claim will not share in the settlement proceeds. Class Members who do not submit an acceptable Proof of Claim will nevertheless be bound by the Settlement and the Order and Final Judgment of the Court dismissing this Action.

43. Checks will be distributed to Authorized Claimants after all claims have been processed and after the Court has finally approved the Settlement. If any funds remain in the Net Settlement Fund by reason of uncashed checks 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 Settlement Fund cash their distribution checks, any balance remaining in the Net Settlement Fund one (1) year after the initial distribution of such funds shall be re-distributed, after payment of any unpaid costs or fees incurred in administering the Net Settlement Fund for such re-distribution, to Class Members who have cashed their checks and who would receive at least \$10.00 from such re-distribution. If after six months after such re-distribution any funds shall remain in the Net Settlement Fund, then such one-half of such balance shall be contributed to non-sectarian, not-for-profit, 501(c)(3) organization(s) designated by Plaintiff's Co-Lead Counsel and the other half shall be contributed to non-sectarian, not-for-profit, 501(c)(3) organization(s) designated by Defendants' Counsel.

THE RIGHTS OF CLASS MEMBERS

44. The Court has certified this Action to proceed as a class action. If you purchased or otherwise acquired the common stock of FORE Systems, Inc. ("FORE") during the period July 19, 1996 through April 1, 1997, inclusive, and were damaged thereby, and you are not excluded from the definition of the Class, and you did not submit a request for exclusion in accordance with the terms of the Notice of Pendency, then you are a Class Member. Class Members may object to the Settlement or any of its terms, including the proposed Plan of Allocation or to Plaintiffs' Counsel's application for fees and expenses by following the instructions in paragraph 50 below.

SUBMISSION AND PROCESSING OF PROOFS OF CLAIM

45. In order to be eligible to receive any distribution from the Settlement Fund, you must complete and sign the accompanying Proof of Claim and Release form and send it by first-class mail postmarked on or before January 14, 2004, addressed as follows:

In re FORE Systems, Inc. Securities Litigation
c/o Heffler Radetich & Saitta LLP
Claims Administrator
Post Office Box 1490
Philadelphia, PA 19105-1490

46. If you do not submit a proper Proof of Claim form, you will not be entitled to any share of the Settlement Fund.

47. All Proofs of Claim must be submitted by the date specified in this Settlement Notice unless such period is extended by Order of the Court.

48. Each Claimant shall be deemed to have submitted to the jurisdiction of the United States District Court for the Western District of Pennsylvania with respect to his, her or its Proof of Claim. The Court has reserved jurisdiction to allow, disallow, or adjust any claim on equitable grounds.

SETTLEMENT FAIRNESS HEARING

49. At the Settlement Fairness Hearing, the Court will determine whether to finally approve this Settlement and dismiss the Action and the claims of the Class Members. The Court will also determine whether the Plan of Allocation for the Settlement proceeds is fair and reasonable. The Settlement Fairness Hearing may be adjourned from time to time by the Court without further written notice to the Class. If you intend to attend the Settlement Fairness Hearing, you should confirm the date and time with Plaintiffs' Co-Lead Counsel. If the Settlement is approved, the Court will also consider the application of Plaintiffs' Counsel for attorneys' fees.

50. At the Settlement Fairness Hearing, any Class Member who has not previously submitted a request for exclusion from the Class may appear in person or by counsel and be heard to the extent allowed by the Court in opposition to the fairness, reasonableness and adequacy of the Settlement, the Plan of Allocation, or the application for an award of attorneys' fees and reimbursement of expenses, provided, however, that in no event shall any person be heard in opposition to the Settlement, the Plan of Allocation, or Plaintiffs' Counsel's application for attorneys' fees and expenses and in no event shall any paper or brief submitted by any such person be accepted or considered by the Court, unless, on or before December 1, 2003, such person files with the Clerk of the Court notice of such person's intention to appear, showing proof of such person's membership in the Class, and providing a statement that indicates the basis for such opposition, along with any documentation in support of such objection, and simultaneously serves copies of such notice, proof, statement and documentation, together with copies of any other papers or briefs such person files with the Court, in person or by mail upon Plaintiffs' Co-Lead Counsel:

Robert A. Hoffman, Esq.
BARRACK, RODOS & BACINE
3300 Two Commerce Square
2001 Market Street
Philadelphia, PA 19103
(215) 963-0600

William C. Fredericks, Esq.
MILBERG WEISS BERSHAD
HYNES & LERACH LLP
One Pennsylvania Plaza
New York, NY 10119-0165
(212) 594-5300

and upon Defendants' Counsel:

Thomas R. Johnson, Esq.
KIRKPATRICK & LOCKHART LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222-2312
(412) 355-6500

Attendance at the hearing is not necessary; however, persons wishing to be heard orally in opposition to the approval of the Settlement, the Plan of Allocation, and/or the request for attorneys' fees are required to indicate in their written objection their intention to appear at the hearing. Persons who intend to object to the Settlement, the Plan of Allocation, and/or counsel's application for an award of attorneys' fees and expenses and desire to present evidence at the Settlement Fairness Hearing must include in their written objections the identity of any witnesses they may call to testify and exhibits they intend to introduce into evidence at the Settlement Fairness Hearing. Class Members do not need to appear at the hearing or take any other action to indicate their approval.

ATTORNEYS' FEES AND DISBURSEMENTS

51. At the Settlement Fairness Hearing or at such other time as the Court may direct, Plaintiffs' Counsel intend to apply to the Court for an award of attorneys' fees from the Settlement Fund in an amount not greater than one-third (33 $\frac{1}{3}$ %) of the Gross Settlement Fund and for reimbursement of their expenses in the approximate amount of \$1,050,000, plus interest at the same rate as earned by the Settlement Fund. Plaintiffs' Counsel, without further notice to the Class, may subsequently apply to the Court for fees and expenses incurred in connection with administering and distributing the Settlement proceeds to the members of the Class and any proceedings subsequent to the Settlement Fairness Hearing.

52. At the Settlement Fairness Hearing Lead Plaintiffs Robert K. Bell, Alexander Haff, David Haimbaugh and Michael Roy Underwood shall apply for the award of their reasonable costs and expenses (including lost wages) directly relating to the representation of the Class in an amount of not more than \$5,000 each.

FURTHER INFORMATION

53. For a more detailed statement of the matters involved in this Action, reference is made to the pleadings, to the Stipulation, to the Orders entered by the Court and to the other papers filed in the Action, which may be inspected at the Office of the Clerk of the United States District Court for the Western District of Pennsylvania, United States Courthouse, Seventh Avenue & Grant Street, Pittsburgh, Pennsylvania 15219, during regular business hours.

54. ALL INQUIRIES CONCERNING THIS SETTLEMENT NOTICE OR THE PROOF OF CLAIM FORM BY CLASS MEMBERS SHOULD BE MADE TO THE CLAIMS ADMINISTRATOR IN WRITING AT THE ADDRESS INDICATED BELOW.

SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES

55. If you purchased or otherwise acquired the common stock of FORE Systems, Inc. ("FORE") during the period July 19, 1996 through April 1, 1997, inclusive, and were damaged thereby for the beneficial interest of a person or organization other than yourself, the Court has directed that, WITHIN SEVEN (7) DAYS OF YOUR RECEIPT OF THIS SETTLEMENT NOTICE, you either provide to the Claims Administrator the name and last known address of each person or organization for whom or which you purchased or otherwise acquired such stock during such time period or request additional copies of this Settlement Notice and the Proof of Claim form, which will be provided to you free of charge, and within seven (7) days mail the Settlement Notice and Proof of Claim form directly to the 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. 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 submission of appropriate supporting documentation. All communications concerning the foregoing should be addressed to the Claims Administrator:

In re FORE Systems, Inc. Securities Litigation
c/o Heffler Radetich & Saitta LLP
Claims Administrator
Post Office Box 1490
Philadelphia, PA 19105-1490
(800) 528-7199

Dated: Pittsburgh, Pennsylvania
October 17, 2003

By Order of the Court
CLERK OF THE COURT

Schedule A

<u>Date</u>	<u>Price</u>	<u>Value</u>	<u>Inflation per Share</u>
7-Mar-97	\$25.75	\$19.446	\$6.304
10-Mar-97	\$24.50	\$19.990	\$4.510
11-Mar-97	\$22.13	\$18.565	\$3.560
12-Mar-97	\$23.25	\$19.509	\$3.741
13-Mar-97	\$24.13	\$20.243	\$3.882
14-Mar-97	\$22.50	\$18.880	\$3.620
17-Mar-97	\$22.13	\$18.565	\$3.560
18-Mar-97	\$22.25	\$18.670	\$3.580
19-Mar-97	\$21.38	\$17.936	\$3.439
20-Mar-97	\$19.94	\$18.417	\$1.521
21-Mar-97	\$18.38	\$16.973	\$1.402
24-Mar-97	\$18.38	\$16.973	\$1.402
25-Mar-97	\$17.63	\$16.280	\$1.345
26-Mar-97	\$18.13	\$16.742	\$1.383
27-Mar-97	\$17.63	\$16.280	\$1.345
31-Mar-97	\$15.00	\$13.855	\$1.145

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT K. BELL, et al.,)	
)	Consolidated Civil Action No. 97-1265
vs.)	
FORE SYSTEMS, INC., et al.,)	Judge Cindrich
)	
)	
)	

PROOF OF CLAIM, RELEASE AND SUBSTITUTE FORM W-9

DEADLINE FOR SUBMISSION: JANUARY 14, 2004.

IF YOU PURCHASED OR OTHERWISE ACQUIRED THE COMMON STOCK OF FORE SYSTEMS, INC. ("FORE") DURING THE PERIOD JULY 19, 1996 THROUGH APRIL 1, 1997, INCLUSIVE, ("CLASS PERIOD") AND WERE DAMAGED THEREBY, YOU ARE A "CLASS MEMBER" AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT PROCEEDS. (EXCLUDED FROM THE CLASS ARE DEFENDANTS, THE OFFICERS AND DIRECTORS OF FORE SYSTEMS, INC. AT ALL RELEVANT TIMES, MEMBERS OF THEIR IMMEDIATE FAMILIES, THEIR LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS OR ASSIGNS, AND ANY ENTITY IN WHICH DEFENDANTS HAVE OR HAD A CONTROLLING INTEREST. ALSO EXCLUDED FROM THE CLASS ARE ANY PUTATIVE CLASS MEMBERS WHO PREVIOUSLY EXCLUDED THEMSELVES BY FILING A REQUEST FOR EXCLUSION IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THE NOTICE OF PENDENCY.) IF YOU ARE A CLASS MEMBER, YOU MUST COMPLETE AND SUBMIT THIS FORM IN ORDER TO BE ELIGIBLE FOR ANY SETTLEMENT BENEFITS.

YOU MUST COMPLETE AND SIGN THIS PROOF OF CLAIM AND MAIL IT BY FIRST-CLASS MAIL, POSTMARKED NO LATER THAN JANUARY 14, 2004 TO THE FOLLOWING ADDRESS:

In re FORE Systems, Inc. Securities Litigation
c/o Heffler Radetich & Saitta LLP
Claims Administrator
Post Office Box 1490
Philadelphia, PA 19105-1490

YOUR FAILURE TO SUBMIT YOUR CLAIM BY JANUARY 14, 2004 WILL SUBJECT YOUR CLAIM TO REJECTION AND PRECLUDE YOUR RECEIVING ANY MONEY IN CONNECTION WITH THE SETTLEMENT OF THIS LITIGATION. DO NOT MAIL OR DELIVER YOUR CLAIM TO THE COURT OR TO ANY OF THE PARTIES OR THEIR COUNSEL AS ANY SUCH CLAIM WILL BE DEEMED NOT TO HAVE BEEN SUBMITTED. SUBMIT YOUR CLAIM ONLY TO THE CLAIMS ADMINISTRATOR.

1. I purchased or otherwise acquired the common stock of FORE Systems, Inc. ("FORE") during the period July 19, 1996 through April 1, 1997, inclusive, and was damaged thereby. (Do not submit this Proof of Claim if you did not purchase or otherwise acquire FORE common stock during this period).

2. By submitting this Proof of Claim, I state that I believe in good faith that I am a Class Member as defined above and in the Notice of Proposed Settlement of Class Action, Hearing on Proposed Settlement and Attorneys' Fee Petition and Right to Share in Settlement Fund (the "Settlement Notice"), or am acting for such person; that I am not a Defendant in the Action or anyone excluded from the Class; that I have read and understand the Settlement Notice; that I believe that I am entitled to receive a share of the Net Settlement Fund; that I elect to participate in the proposed Settlement described in the Settlement Notice; and that I have not filed a request for exclusion. (If you are acting in a representative capacity on behalf of a Class Member (e.g., as an executor, administrator, trustee, or other representative), you must submit evidence of your current authority to act on behalf of that Class Member. Such evidence would include, for example, letters testamentary, letters of administration, or a copy of the trust documents.)

3. I have set forth where requested below all relevant information with respect to each purchase or other acquisition of FORE common stock during the Class Period, and each sale, if any, of such securities. I agree to furnish additional information (including transactions in other FORE securities) to the Claims Administrator to support this claim if requested to do so.

4. I have enclosed photocopies of the stockbroker's confirmation slips, stockbroker's statements, relevant portions of my tax returns or other documents evidencing each purchase, acquisition, sale or retention of FORE common stock listed below in support of my claim. (IF ANY SUCH DOCUMENTS ARE NOT IN YOUR POSSESSION, PLEASE OBTAIN A COPY OR EQUIVALENT DOCUMENTS FROM YOUR BROKER OR TAX ADVISOR BECAUSE THESE DOCUMENTS ARE NECESSARY TO PROVE AND PROCESS YOUR CLAIM.)

5. I understand that the information contained in this Proof of Claim is subject to such verification as the Claims Administrator may request or as the Court may direct, and I agree to cooperate in any such verification. (The information requested herein is designed to provide the minimum amount of information necessary to process most simple claims. The Claims Administrator may request additional information as required to efficiently and reliably calculate your Recognized Claim. In some cases the Claims Administrator may condition acceptance of the claim based upon the production of additional information, including, where applicable, information concerning transactions in any derivatives of the subject securities such as options.)

6. Upon the occurrence of the Effective Date (as defined in the Settlement Notice) my signature hereto will constitute a full and complete release, remise and discharge by me or, if I am submitting this Proof of Claim on behalf of a corporation, a partnership, estate or one or more other persons, by it, him, her or them, and by my, its, his, her or their heirs, executors, administrators, successors, and assigns of each of the "Released Parties" of all "Settled Claims," as defined in the Settlement Notice.

* * *

NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request, or may be requested, to submit information regarding their transactions in electronic files. All Claimants MUST submit a manually signed paper Proof of Claim form accompanied by a paper listing of all their transactions whether or not they also submit electronic copies. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the Claimant a written paper acknowledgment of receipt and acceptance of electronically submitted data. If you do want to submit data electronically, please contact the Claims Administrator for the proper format.

7. **STATEMENT OF CLAIM**

Name(s) of Beneficial Owner(s) (First, Middle, Last):

Joint Owner's Name (if any)

--

If you are a bank or other institution filing on behalf of a third-party, and an account number is needed to identify the claimant for your records, indicate account number here: _____

Address of Beneficial Owner(s):

Street No.

--

City

--

 State

 Zip Code

--

 -

--

 -

--

 -

--

 Telephone No. (Day)

--

 -

--

 -

--

 Telephone No. (Night)

Social Security No.

--

 -

--

 -

--

 OR Employer I.D No.

--

 -

--

E-mail Address

--

Check one: Individual IRA Account Estate
 Trustee/Custodian Corporation Other _____ (specify)

8. At the close of business on July 18, 1996, I owned _____ shares of FORE common stock.

9. I made the following purchases of FORE common stock during the period July 19, 1996 through April 1, 1997, inclusive:

NOTE: If you acquired your FORE common stock during this period other than by an open market purchase, please provide a complete description of the terms of the acquisition on a separate page.

Date(s) of Purchase (List Chronologically) (Month/Day/Year)	Number of Shares of Common Stock Purchased	Purchase Price Per Share of Common Stock	Aggregate Cost (including commissions, taxes, and fees)				
<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>		<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>		\$ <table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>		\$ <table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>	
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Total Shares Purchased _____

10. I made the following sales of FORE common stock during the period July 19, 1996 through April 1, 1997, inclusive:

Date(s) of Sale (List Chronologically) (Month/Day/Year)	Number of Shares of Common Stock Sold	Sale Price Per Share of Common Stock	Amount Received (net of commissions taxes, and fees)				
<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>		<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>		\$ <table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>		\$ <table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:100%; height: 20px;"></td></tr></table>	
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Total Shares Sold _____

11. At the close of business on April 1, 1997, I still owned _____ shares of FORE common stock.

IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS PHOTOCOPY THIS PAGE, PRINT YOUR NAME AND TAXPAYER IDENTIFICATION NUMBER AND CHECK THE BOX BELOW

I HAVE ATTACHED ADDITIONAL PAGES OF TRANSACTIONS

12. Substitute Form W-9

Request for Taxpayer Identification Number:

Enter taxpayer identification number below for the Beneficial Owner(s). For most individuals, this is your Social Security Number. The Internal Revenue Service ("I.R.S.") requires such taxpayer identification number. If you fail to provide this information, your claim may be rejected.

Social Security No. (for individuals) [] [] [] [] - [] [] - [] [] [] []

OR

Employer Identification Number (for estates, trusts, corporations, etc.) [] [] - [] [] [] [] [] []

13. Certification

UNDER THE PENALTIES OF PERJURY, I (WE) CERTIFY THAT ALL OF THE INFORMATION PROVIDED ON THIS FORM IS TRUE, CORRECT AND COMPLETE.

I (We) certify that I am (we are) **NOT** subject to backup withholding under the provisions of Section 3406 (a)(1)(c) of the Internal Revenue Code because: (a) I am (We are) exempt from backup withholding, or (b) I (We) have not been notified by the I.R.S. that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the I.R.S. has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the I.R.S. that you are subject to backup withholding, please strike out the language that you are **NOT** subject to backup withholding in the certification above and check here .

The Internal Revenue Service does not require your consent to any provision of this document other than the certification required to avoid backup withholding.

NOTE: If you require the Instructions for Completing Substitute form W-9, please make a written request to us at: FORE Systems, Inc. Securities Litigation, c/o Heffler, Radetich & Saitta L.L.P., Claims Administrator, P.O. Box 1490, Philadelphia, PA 19105-1490. Please note that your accountant should also be able to provide you with the Instructions.

Signature of Claimant (If this claim is being made on behalf of Joint Claimants, then each must sign)

(Signature)

(Signature)

(Capacity of person(s) signing, e.g. beneficial purchaser(s), executor, administrator, trustee, etc.)

Date: _____

THIS PROOF OF CLAIM MUST BE SUBMITTED NO LATER THAN JANUARY 14, 2004, AND MUST BE MAILED TO:

In re FORE Systems, Inc. Securities Litigation
c/o Heffler Radetich & Saitta LLP
Claims Administrator
Post Office Box 1490
Philadelphia, PA 19105-1490

A Proof of Claim received by the Claims Administrator shall be deemed to have been submitted when posted, if mailed by January 14, 2004, and if a postmark is indicated on the envelope and it is mailed first-class, and addressed in accordance with the above instructions. In all other cases, a Proof of Claim shall be deemed to have been submitted when actually received by the Claims Administrator.

If you wish to be assured that your Proof of Claim is actually received by the Claims Administrator, then you should send it by Certified Mail, Return Receipt Requested. No acknowledgment will be made as to the receipt of claim forms. You should be aware that it will take a significant amount of time to process fully all of the Proofs of Claim and to administer the Settlement. This work will be completed as promptly as time permits, given the need to investigate and tabulate each Proof of Claim. Please notify the Claims Administrator of any change of address.

In re FORE Systems, Inc. Securities Litigation
c/o Heffler Radetich & Saitta LLP
Claims Administrator
Post Office Box 1490
Philadelphia, PA 19105-1490

[PLEASE FORWARD — IMPORTANT LEGAL NOTICE]

ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.

THANK YOU FOR YOUR PATIENCE.

Reminder Checklist:

1. Please sign the above release and declaration.
2. Remember to attach copies of supporting documentation.
3. Do not send original or copies of stock certificates.
4. Keep a copy of your claim form for your records.
5. If you desire an acknowledgment of receipt of your claim form, please send it Certified Mail, Return Receipt Requested.
6. If you move, please send us your new address.