

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_ X  
IN RE GLOBAL CROSSING, LTD. :  
SECURITIES LITIGATION :  
\_\_\_\_\_ X

Case No. 02 Civ. 910 (GEL)

**NOTICE OF PROPOSED CLASS ACTION PARTIAL SETTLEMENT, MOTION FOR ATTORNEYS' FEES AND FAIRNESS HEARING**

**If You Bought or Exchanged Global Crossing Ltd. Securities or Asia Global Crossing Ltd. Securities between February 1, 1999 and December 8, 2003, you might be a member of the Class in this action entitling you to receive relief in connection with a fourth partial settlement of the Action.**

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

**If you belong to the Class and this Settlement is approved, your legal rights will be affected whether you act or not. Read this Notice carefully to see what your rights and options are in connection with this Settlement.<sup>1</sup>**

- On July 25, 2006, a settlement between the plaintiffs and certain defendants affiliated with Canadian Imperial Bank of Commerce ("CIBC") and certain underwriters of Global Crossing and Asia Global Crossing Securities was preliminarily approved by the Court in the action captioned above. The Settlement partially resolves two sets of claims in this lawsuit. First, there is a claim that the registration statements under which certain Global Crossing and Asia Global Crossing securities were sold to the public contained inaccurate or misleading financial information from the company whose securities were sold, and that the underwriters of those public offerings are liable for investor losses that are claimed to have resulted. Second, there is a claim that the prices of common stock, convertible preferred stock and bonds of Global Crossing and Asia Global Crossing were artificially inflated as a result of alleged fraudulent misrepresentations and non-disclosures and other violations of federal securities laws and the CIBC Defendants are alleged to be liable for investor losses stemming from those errors.
- The Settlement provides for a Settlement Fund of \$99 million, less fees and costs. The amount to be distributed among the class members will be divided between Global Crossing and Asia Global Crossing securities purchasers, with certain Global Crossing securities purchasers getting 92% of the amount and Asia Global Crossing securities purchasers getting the remaining 8%. The amount to be distributed is to be allocated between claimants such that the amount paid by the Underwriter Defendants is paid to those having claims under the Securities Act of 1933 and the amount paid by the CIBC Defendants is paid to those having claims under the Securities Act of 1933 and the Securities Exchange Act of 1934.
- The Plaintiffs and the Settling Defendants disagree on the amount of damages, if any, that could have been recovered if the Plaintiffs prevailed on each claim at trial. The Plaintiffs estimate that the approximate average amount of damages to the Plaintiffs are as follows: \$7.83 per share of Global Crossing common stock; \$195.98 per share of Global Crossing preferred stock; and \$1.29 per share of Asia Global Crossing common stock. The Settling Defendants do not believe that the Plaintiffs and the Class they seek to represent would be entitled to any damages in this action even if the Plaintiffs were to prove the allegations in the lawsuit. The Settling Defendants believe that the Plaintiffs' losses, if any, resulted primarily from conditions in the economy as a whole and the telecommunications industry in particular, or from other causes for which the Settling Defendants are not responsible.
- Plaintiffs estimate that, if all Class Members make a claim, the average payment to Class Members from this settlement will be \$0.003 per eligible share of Global Crossing common stock; \$0.472 per eligible share of Global Crossing common stock traceable to the Secondary Offering; \$12.20 per eligible share of Global Crossing 6.75% preferred stock; and \$0.018 per eligible share of Asia Global Crossing common stock. Of these amounts, fees and expenses will be requested of up to \$0.001 per eligible share of Global Crossing common stock, \$0.081 per eligible share of Global Crossing common stock traceable to the Secondary Offering; \$2.088 per eligible share of damaged Global Crossing 6.75% preferred stock, and \$0.0035 per eligible share of Asia Global Crossing common stock. **Please note that these amounts are only estimates.**
- Lead Counsel intends to seek an award of attorneys' fees of no more than \$15.95 million as is permitted under its agreement with the Lead Plaintiffs. The amount of expenses the Securities Lead Counsel intends to seek will not exceed \$1 million.
- In reaching the Settlement, the plaintiffs and Settling Defendants have avoided the cost and time of a trial. Plaintiffs have agreed to this Settlement to avoid the risk of the dismissal of some or all of plaintiffs' claims against the Settling Defendants.

<sup>1</sup> This Notice summarizes and is qualified in its entirety by the Settlement Agreement which sets out the terms of the Settlement. Please refer to the Settlement Agreement for a complete description of the terms and provisions thereof. A copy of the Settlement Agreement is available at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com).

<b>Submit a Claim Form (by December 31, 2006)</b>	<p>If the Settlement is approved and you are a member of the Class, you may be entitled to receive a settlement payment. Regardless of whether you previously submitted a claim form for a prior settlement in this Action, you must submit a claim form for this fourth partial settlement to share in these new settlement proceeds. A copy of the claim form is enclosed, and is also available at <a href="http://www.globalcrossinglitigation.com">www.globalcrossinglitigation.com</a>. It must be completed in its entirety.</p> <p>If you remain in the Class, you will be bound by the Settlement and will give up any claims you may have against the Settling Defendants and the Releasees, as described in more detail below, so it is in your interest to submit the claim form.</p>
<b>Exclude Yourself (by October 6, 2006)</b>	<p>If you do not wish to participate in the Settlement, you <i>must</i> exclude yourself (as described below). If you exclude yourself, you will <i>not</i> receive any payment under the Settlement. You cannot bring or be part of another lawsuit or arbitration against any of the Releasees (as defined below) based on the claims in this case unless you exclude yourself from the class.</p>
<b>Object (by October 6, 2006)</b>	<p>If you do not exclude yourself, but you wish to object to any part of the Settlement, you may (as discussed below) write to the Court about your objections.</p>
<b>Attend the Fairness Hearing (to be held on October 27, 2006)</b>	<p>If you have submitted a written objection to the Settlement to the Court, you may (but do not have to) attend the Fairness Hearing about the Settlement and present your objections to the Court at that hearing.</p>
<b>Fail to Submit a Claim or Opt Out</b>	<p>If the Settlement is approved and you do not submit a claim form or exclude yourself, you will not receive any securities settlement payment. You will nevertheless, as part of the Settlement, give up all of your claims against all of the Releasees and you will not be able to bring or pursue those claims against any of them in any other lawsuit or arbitration. The claims that you will give up if the Settlement is approved are set out in the Release that is found in the Settlement Agreement. A complete copy of the Release is reprinted at Exhibit A to this Notice and is available at <a href="http://www.globalcrossinglitigation.com">www.globalcrossinglitigation.com</a>.</p>

- These rights and options – **and the deadlines to exercise them** – are explained in this Notice. Please note the date of the Fairness Hearing – currently scheduled for October 27, 2006 – is subject to change without further notice. If you plan to attend the hearing, you should check with the Court to be sure no change to the date and time of the hearing has been made.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made to Class Members only if the Court approves the Settlement and that approval is upheld in any appeals.

## WHAT THIS NOTICE CONTAINS

<b>Summary of Settlement .....</b>	<b>3</b>
<b>Basic Information .....</b>	<b>3</b>
1. Why did I get this Notice package? .....	3
2. What is this lawsuit about? .....	3
3. Why is this case a Class Action? .....	5
4. Why is there a Settlement? .....	5
5. How do I know whether I am part of the Settlement? .....	5
6. Are there exceptions to being included? .....	5
7. I am still not sure whether I am included. ....	5
<b>The Settlement Benefits - What You Receive .....</b>	<b>6</b>
8. What does the Settlement provide? .....	6
9. How much will my payment be? .....	6
10. How can I get a payment? .....	7
11. When would I get my payment? .....	7
12. What is the effect of my remaining in the Class? .....	7
13. How do I get out of the Settlement? .....	7
14. If I don't exclude myself from the Settlement in connection with the Action, can I sue the Releasees for the same thing later? .....	7
15. If I exclude myself, can I get money from this Settlement in connection with the Action? .....	8
<b>The Lawyers Representing You .....</b>	<b>8</b>
16. Do I have a lawyer in the case? .....	8
17. How will the lawyers be paid? .....	8
<b>Objecting to the Settlement or the Attorneys' Fees .....</b>	<b>8</b>
18. How do I tell the Court if I don't like the Settlement? .....	8
19. What's the difference between objecting and excluding? .....	8
20. When and where will the Court decide whether to approve the Settlement? .....	9
21. Do I have to come to the hearing? .....	9
22. May I speak at the hearing? .....	9

<b>If You Do Nothing</b> .....	<b>9</b>
23.    What happens if I do nothing at all? .....	9
<b>Getting More Information</b> .....	<b>9</b>
24.    Are there more details about the Settlement? .....	9
25.    How do I get more information? .....	10

The Action was filed shortly after Global Crossing filed bankruptcy in January 2002. As described in more detail below and in the Complaint itself, the case concerns allegations of misrepresentations, omissions and schemes to defraud Global Crossing and Asia Global Crossing shareholders. A copy of the complaint filed in the Action is available at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com).

## BASIC INFORMATION

<b>1. Why did I get this Notice package?</b>
--

You or someone in your family may have purchased, sold or made any other investment decision concerning Global Crossing or Asia Global Crossing stock, preferred stock or bonds between February 1, 1999 and December 8, 2003. The Court caused this Notice to be sent to you because, if you fall within any of these groups, you have a right to know about the proposed Settlement of class action lawsuits, and about all of your options, before the Court decides whether to approve the Settlement. If the Court approves it and after any objections and appeals are resolved, the Court appointed Claims Administrator (The Garden City Group, Inc.) will cause the required payments to be made to qualified claimants.

This Notice package describes the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of this Action is the United States District Court for the Southern District of New York. The people who sued are called plaintiffs, and the people they sued are called the defendants. The Action is known as *In re Global Crossing Securities Litigation, Ltd.*, Case Number 02 Civ. 910 (GEL). The Settlement is a partial settlement because not all of the defendants in the Action have agreed to settle.

<b>2. What is this lawsuit about?</b>
---------------------------------------

This lawsuit involves the demise of Global Crossing and Asia Global Crossing, which were global telecommunications companies. Global Crossing was founded in 1997 and Asia Global Crossing in 1999. Global Crossing became a public company on August 13, 1998. Asia Global Crossing became a public company on October 12, 2000, although Global Crossing retained a 51% ownership interest in Asia Global Crossing.

The Settlement described in this Notice provides for the payment of \$99 million to settle claims brought by persons or entities that purchased or otherwise acquired Global Crossing and Asia Global Crossing securities during the Class Period. The Settlement would result in the dismissal and/or release of certain claims by all Class Members in the Action as to the persons and entities included within the definition of "Releasees" in the Settlement Agreement. (The complete definition of "Releasees," along with the definition of "Released Claims," is reprinted in Exhibit A to this Notice.) The Releasees include the "Underwriter Defendants," which are: Goldman, Sachs & Co.; Merrill Lynch & Co.; Merrill Lynch, Pierce, Fenner & Smith, Inc.; CIBC World Markets Corp. ("CIBC WM"); Bear Stearns & Co., Inc.; J.P. Morgan Chase & Co.; J.P. Morgan Securities, Inc.; Credit Suisse Securities (USA) LLC (including the former Donaldson, Lufkin & Jenrette, Inc.); Morgan Stanley; Deutsche Bank Securities Inc.; Lehman Brothers Inc.; ABN AMRO Rothschild LLC; A.G. Edwards & Sons, Inc.; Wachovia Securities (formerly First Union Securities, Inc.); RBC Capital Markets Corp.; Dresdner Kleinwort Wasserstein-Grantchester, Inc. (formerly Wasserstein Perella Securities, Inc.); Advest, Inc.; Harris Nesbitt Gerard, Inc. (formerly Gerard Klauer Mattison & Co., Inc.); Guzman & Company; Kaufman Bros., L.P.; McDonald Investments, Inc.; Monness, Crespi, Hardt & Co., Inc.; Samuel A. Ramirez & Co., Inc.; Raymond James & Associates, Inc.; Scott & Stringfellow, Inc.; and Stephens Inc. (collectively, the "Underwriter Defendants"), The Releasees also include two Asia Global Crossing underwriters that were not named in the Action – The Robinson-Humphrey Company LLC and Williams Capital Group, L.P. – as well as the "CIBC Defendants," which are Canadian Imperial Bank of Commerce, CIBC WM, CIBC Capital Partners and CIBC Capital Partners (Cayman). In this notice, the Underwriter Defendants and CIBC Defendants are collectively referred to as the "Settling Defendants".

Since February 2002, over 50 putative class actions alleging securities law violations have been filed against employees of Global Crossing and other defendants, including the Settling Defendants, on behalf of putative classes of holders of Global Crossing securities. The Judicial Panel on Multidistrict Litigation centralized all of these actions before the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings. In December 2002, the Court appointed the Lead Plaintiffs and appointed Grant & Eisenhofer, P.A. as lead counsel in the Action.

On January 28, 2003, a Consolidated Class Action Complaint was filed against various defendants, including 33 former officers and directors of Global Crossing, Arthur Andersen LLP (Global Crossing's former auditor), Citigroup Global Markets (formerly known as Salomon Smith Barney, Inc.), CIBC, and other financial institutions that acted as underwriters on certain of Global Crossing's securities offerings during the Class Period. In May 2003, the Court consolidated into the Action five putative class actions alleging securities law violations against, among others, current and former officers, directors and employees of Asia Global Crossing. On August 11, 2003, plaintiffs filed an Amended Consolidated Class Action Complaint to add claims on behalf of persons and entities who purchased or otherwise acquired Asia Global

Crossing securities during the Class Period. On March 22, 2004, Lead Plaintiffs filed a Second Amended Consolidated Class Action Complaint to, among other things, update factual allegations based upon Lead Plaintiffs' continuing investigation of the claims in the Action.

In the Action, plaintiffs claim that the Global Crossing and Asia Global Crossing sold securities on the basis of inaccurate and/or misleading financial information, and that the Underwriter Defendants violated federal securities laws by failing to exercise the requisite due diligence in underwriting certain of Global Crossing's and Asia Global Crossing's public offerings. They also allege that CIBC is liable for false statements concerning Global Crossing and liable, as a control person of Global Crossing, for Global Crossing's alleged violations of the federal securities laws. In the Complaint, Plaintiffs assert causes of action against the CIBC Defendants under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the "Exchange Act") and against the Underwriter Defendants under Sections 11, 12(a)(2) and 15 of the Securities Act of 1933 ("the "Securities Act"). The Settling Defendants have denied violating any laws and have raised or could raise numerous defenses, including that the Underwriters conducted appropriate due diligence to verify the accuracy of the disclosures and reasonably relied on audited financial data.

### **The Class Claims Have Been Aggressively Litigated**

Before filing the first consolidated complaint, Lead Counsel undertook an extensive investigation into the events surrounding the demise of Global Crossing and Asia Global Crossing. The investigation included the review and analyses of SEC filings, press releases, public statements, news articles and other publications, records of Global Crossing's analyst conference calls and securities analysts' reports. The investigation also included in-person and telephonic interviews of over 100 former Global Crossing employees. Following the filing of the Complaint, Lead Counsel's investigation continued.

Lead Counsel reviewed and analyzed thousands of internal Global Crossing and Asia Global Crossing documents such as e-mails, memoranda, and financial and sales reports. The Plaintiffs moved for partial relief from the stay of discovery provided by the Private Securities Litigation Reform Act of 1995 (the "PSLRA") to obtain documents Global Crossing produced to governmental agencies that were investigating the same conduct at issue in the Action. These efforts resulted in an agreement with Global Crossing and its former management that allowed Lead Counsel to review and analyze approximately 270,000 pages of documents and records Global Crossing produced to governmental agencies. These documents related to, among other things, transactions discussed in the Complaint, public disclosures, internal budgets and forecasts, communications with analysts and the public regarding financial prospects, internal policies regarding insider trading transactions, records regarding insider trades and executive compensation. Lead Counsel and their accounting consultants have spent thousands of hours reviewing these documents.

In December 2003, the Court largely denied a motion to dismiss plaintiffs' Securities Act claims against certain Underwriter Defendants who underwrote offerings for Global Crossing. However, the Asia Global Crossing underwriters' separate motion to dismiss the Securities Act claims asserted against them remains pending. In November 2005 the Court dismissed plaintiffs' Exchange Act claims and partially dismissed and partially refused to dismiss Securities Act claims against CIBC.

This Settlement is the product of negotiations between Lead Plaintiffs and the Underwriter and CIBC Defendants that started in June 2003 with the Underwriter Defendants and August 2003 with the CIBC Defendants. The negotiation with the Underwriter Defendants and CIBC Defendants included separate mediation conferences before United States Magistrate Judge Michael H. Dolinger and multiple mediation sessions before retired District Judge Nicholas H. Politan. There are two other defendants, Microsoft and Softbank, who are not parties to the Settlement, and the Action will continue against them.

### **Release**

If the Court approves the Settlement, all Class Members will release their claims against the Settling Defendants and the Releases. This means that if you remain a member of the Class, your claims will be released regardless of whether you file a Proof of claim, and regardless of whether you are found eligible to share in the Settlement proceeds.

The exact terms of the Release, including a complete description of the "Releasees," are reprinted in Exhibit A to this Notice, but in summary, you will release all claims against the Settling Defendants and other Releasees concerning your decision to purchase, sell or hold Global Crossing or Asia Global Crossing securities, including those claims that are or could have been asserted in the Action, and any claims arising out of or related in any way to any disclosures, registration statements or other public or private statements by Global Crossing and Asia Global Crossing.

In addition, if the Settlement is approved, nobody will be allowed to assert or pursue a claim for indemnity or contribution against any of the Settling Defendants where the alleged injury to such person or entity is that person's or entity's actual or threatened liability to the Class or a Class Member in the Action. However, if the Class or a Class Member were to obtain a judgment against such person or entity based upon, arising out of, or relating to any Released Claim, that person or entity will be entitled to a credit of the greater of (i) an amount that corresponds to the percentage of responsibility of the Settling Defendant for the loss to the Class or a Class Member or (ii) the amount of the Settlement.

### **3. Why is this case a class action?**

In a class action, one or more plaintiffs called Class Representatives sue on behalf of people who have similar claims. All of the individuals and entities on whose behalf the Class Representative is suing are Class Members. One court resolves the issues for all Class Members, except for those who choose to exclude themselves from the Class if exclusion is permitted by applicable rules of procedure. United States District Judge Gerard E. Lynch is presiding over the Action.

In the Action, the Class Representatives are the Public Employees' Retirement System of Ohio, the State Teachers' Retirement System of Ohio, Richard P. Kleinknecht, Staro Asset Management, the Bennett Funds, James F. Tucker, B. I. Shuster, Bella Pill, Michael A. Bernstein Profit Sharing Plan and Roman Foltyn.

### **4. Why is there a Settlement?**

The Court has not reached a final determination as to whether the Class has any valid claims under the Securities Act or the Exchange Act. It will likely take several more years before a trial on the merits is held and final judgment is entered. Instead, the plaintiffs and the Settling Defendants have agreed to a settlement. In reaching the Settlement, they have avoided the cost and time of a trial, and the plaintiffs have avoided any further delay in bringing this Action to a resolution. In addition, as with any litigated case, the plaintiffs would face an uncertain outcome if these cases went to trial. On the one hand, a trial could result in a verdict greater than this Settlement. On the other hand, the Settling Defendants have many defenses that they can be expected to assert, and a trial could result in a verdict lower than plaintiffs have obtained in this Settlement, or even no recovery at all for the plaintiffs.

Based on these factors, the Class Representatives and their attorneys in this case think the Settlement is best for all Class Members.

### **5. How do I know whether I am part of the Settlement?**

To see if you will get money from this Settlement, you first must determine whether you are a Class Member. For purposes of this Settlement, Judge Lynch has preliminarily certified a Class that consists of, subject to certain exceptions identified below, the following individuals and entities:

*All persons, entities, or legal beneficiaries or participants in any entities who, during the period from February 1, 1999 to December 8, 2003, purchased, sold, exchanged, acquired, disposed of, transferred or made any other investment decision involving Global Crossing or Asia Global Crossing securities.*

### **6. Are there exceptions to being included?**

You are not a Class Member if you are a defendant in this case, unless you purchased, sold or made any other investment decision concerning Global Crossing or Asia Global Crossing securities as a nominee, trustee, street name holder or in any other fiduciary capacity. Current and former officers and directors of the Settling Defendants as well as their immediate family members are also excluded from the Class. You are not a Class Member if you submit a valid and timely request for exclusion from this Settlement. The procedure for requesting exclusion from the Settlement is described below in the Answer to Question No. 13, "How do I get out of the Settlement?"

You are not a Class Member if, while represented by a lawyer, you settled an actual or threatened lawsuit or arbitration with one of the Settling Defendants or Releasees and released them from further claims concerning the purchase, sale or exchange of Global Crossing securities.

If one of your mutual funds owns shares of Global Crossing or Asia Global Crossing, that alone does not make you a Class Member. You may contact your broker to see whether you have held Global Crossing or Asia Global Crossing securities.

### **7. I am still not sure whether I am included.**

If you are still not sure whether you are included, you can ask for help, which will be provided to you at no cost. You can call the Claims Administrator at 1-866-808-3497, or write to the following address:

Global Crossing, Ltd. Securities Litigation  
Financial Institutions Partial Settlement  
c/o The Garden City Group, Inc.  
Claims Administrator  
P.O. Box 9000 #6152  
Merrick, NY 11566-9000

Or you can fill out and return the Proof of Claim form to see whether you qualify.

## The Settlement Benefits - What You Receive

### 8. What does the Settlement provide?

The Settling Defendants have agreed to pay \$99 million to settle claims and potential claims brought by persons or entities that purchased, sold or made any other investment decision concerning Global Crossing and Asia Global Crossing securities during the Class Period. Of the amount to be distributed to the Plaintiffs, 8% of the amount will be allocated to those who purchased, sold or made any other investment decision concerning Asia Global Crossing securities.<sup>2</sup> The remaining 92% will be distributed to certain persons or entities who purchased, sold or made any other investment decision concerning Global Crossing securities during the Class Period. The Settlement will result in the dismissal and/or release of certain claims by all Class Members in the Action against the persons and entities included in the definition of "Releasees" under the Settlement Agreement.

The money left over after the payment of all fees and costs will be distributed to the Class Members who send in a valid Proof of Claim form before the December 31, 2006 deadline. The Settlement proceeds will be distributed to the Class Members in accordance with the provisions of the Plan of Allocation, which is explained below in the Answer to Question No. 9.

### 9. How much will my payment be?

Your share of the Settlement Fund (subject to the *de minimis* provision) will depend on the number of valid claim forms that Class Members send in, how many Global Crossing or Asia Global Crossing stocks or bonds you bought, and when you bought and sold them.

Here is how it works:

- Class Counsel and their expert consultants have prepared a Plan of Allocation that provides instructions for the Claims Administrator to determine each Class Member's proportionate share of the Settlement money.
- The Plan of Allocation provides a mathematical formula for determining the amount of money or "Recognized Claim" that will be paid to claimants with respect to each type of Global Crossing securities and Asia Global Crossing securities.
- The mathematical formula is based on the alleged artificial inflation in the prices of Global Crossing and Asia Global Crossing securities at any particular time.
- To calculate whether you had a net gain or net loss on your transactions in each class of Global Crossing or Asia Global Crossing stock, preferred stock or bonds, we (the Class Counsel) will look at four factors: (1) the price you paid for the stock or bond; (2) the price at which you sold it (or the price at the end of the class period if you did not sell); (3) the amount by which plaintiffs' experts have determined the stock or bond was, in their view, "inflated" on the date of your purchase; and (4) the amount by which plaintiffs' experts have determined the stock or bond was, in their view, "inflated" on the date of your sale (that number is \$0 if you did not sell by the end of the class period). Because you are entitled to make a claim only for losses in each class of securities that may have been due to the alleged fraud, you have a claim for either (a) the change in inflation between your purchase and sale dates (or the end of the class period if you did not sell) or (b) the amount you actually lost, whichever is less. The Plan of Allocation, which is attached to this Notice as Exhibit B, provides a detailed explanation of how this method works.
- The plaintiffs named in the Action will share in the Net Cash Settlement Amount on the same basis and to the same extent as all other Class Members. The named plaintiffs may apply for reimbursement of the reasonable costs and expenses (including lost wages) directly relating to their representation of the Class.
- Each valid claim will be allocated a proportionate share of the Settlement money based on the claimant's Recognized Claim compared to the Total Recognized Claims of all Class Members who submit valid Proof of Claim forms.
- Class Members who do not file valid and timely Proof of Claim forms will not share in the Settlement proceeds.
- Class Members who exclude themselves from the Class will not share in the Settlement proceeds.
- Settlement checks will be sent to authorized claimants after the Final Settlement Date and after all claims have been processed.
- No distribution will be made to any Class Member who would receive \$10.00 or less.
- Plaintiffs estimate that, if all Class Members make a claim, the average payment will be \$0.003 per eligible share of Global Crossing common stock; \$0.472 per eligible share of Global Crossing common stock traceable to the Secondary Offering; \$12.20 per eligible share of Global Crossing 6.75% preferred stock; \$0.370 per eligible Global Crossing note; \$0.018 per eligible share of Asia Global Crossing common stock; and \$10.88 per eligible Asia Global Crossing note. Of these amounts, fees and expenses will be requested of up to \$0.001 per eligible share of Global Crossing common stock, \$0.081 per share of Global Crossing common stock traceable to the Secondary Offering, \$2.088 per eligible share of Global Crossing 6.75% preferred stock, \$0.063 per eligible Global Crossing note, \$0.0035 per eligible share of Asia Global Crossing common stock, and \$1.862 per eligible Asia Global Crossing note. **Please note that the amounts are only estimates.**

The Plan of Allocation may be modified in connection with, among other things, a ruling by the Court, an objection filed by a Class Member, or a settlement with a person or entity requesting exclusion from the Class.

<sup>2</sup> Asia Global Crossing securities traded separately from Global Crossing's securities. The 8% allocation is in recognition of the distinct nature of the companies, securities and claims being made on behalf of purchasers and holders of those securities. The lawyers for the lead plaintiffs in the Asia Global Crossing securities fraud class action, including the lawyer placed on the Executive Committee for Asia Global Crossing plaintiffs as described above, have agreed that this allocation is fair and reasonable.

If you have questions about the tax consequences of participating in the Settlement, you should consult with your own tax advisor.

#### 10. How can I get a payment?

To qualify for a settlement payment, you **must** send in a claim form. A claim form is attached to this Notice. You also may get a claim form on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com) or by calling the Claims Administrator. Read the instructions carefully, fill out the form, include all the documents the form asks for, sign the form, and mail it postmarked no later than December 31, 2006.

#### 11. When would I get my payment?

Payment to Class Members is contingent on the Court's approval of the Settlement Agreement and on such approvals becoming final and no longer subject to any appeals to any court. If Judge Lynch approves the Settlement, there still might be appeals. Appeals, if any, will take time, perhaps more than a year.

The Net Cash Settlement Amount will be distributed by the Claims Administrator as soon as possible after final approval has been obtained for the Settlement (which includes exhaustion of any appeals). Any appeal of the final approval may take several years. Any accrued interest on the Net Cash Settlement Amount will be credited to the Class Members.

Everyone who sends in a claim form can receive information about the progress of the Settlement by calling 1-866-808-3497 or writing to: Global Crossing Ltd. Securities Litigation, Financial Institutions Partial Settlement, c/o The Garden City Group, Inc., Claims Administrator, P.O. Box 9000 #6152, Merrick, NY 11566-9000.

#### 12. What is the effect of my remaining in the Class?

Unless you exclude yourself from the Class, you will be a Class Member and will be bound by all orders and judgments entered by the Court regarding the Settlement. If the Settlement is approved, you will not be able to sue, continue to sue, or be part of any other lawsuit or arbitration against any Releasees concerning any claims released in this Settlement. (As noted above, a full description of the Release, the Released Claims and the individuals and entities being released is contained in Appendix A). You will be bound by the Release whether or not you submit a Claim Form and/or receive a payment under the Settlement.

#### 13. How do I get out of the Settlement?

To exclude yourself from that portion of the Settlement that concerns the Action, you must send a letter by mail to the Claims Administrator saying that you want to be excluded from *In re Global Crossing Ltd. Securities Litigation*. If you wish to exclude yourself from the Settlement in connection with the Action, be sure to include your name, address, telephone number, and signature, and mail your exclusion request postmarked no later than October 6, 2006 to:

Global Crossing, Ltd. Securities Litigation  
Financial Institutions Partial Settlement  
c/o The Garden City Group, Inc.  
Exclusions  
Claims Administrator  
P.O. Box 9000 #6152  
Merrick, NY 11566-9000

You cannot exclude yourself on the phone or by e-mail. If you do not follow these procedures – including meeting the date for exclusion set out above – you will not be excluded from the Class, and you will be bound by all of the orders and judgments entered by the Court regarding the Settlement. You must exclude yourself even if you already have a pending case against any of the Releasees based upon the claims being released.

If you ask to be excluded, you will not get any Settlement payment from the Settling Releasees, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You might be able to sue (or continue to sue) the Releasees in the future.

#### 14. If I don't exclude myself from the Settlement in connection with the Action, can I sue the Releasees for the same thing later?

No. Unless you exclude yourself from the Settlement in connection with the Action, you give up any right to sue the Releasees for the claims that this Settlement resolves in connection with the Action. If you have a pending lawsuit or arbitration against Global Crossing or any of its officers and directors or any other Releasee, speak to the lawyer representing you in that case immediately. You must exclude yourself from this Class to continue your own lawsuit or arbitration against any Releasee. Remember, your request for exclusion must be postmarked no later than October 6, 2006.

**15. If I exclude myself, can I get money from this Settlement in connection with the Action?**

No. If you exclude yourself, do not send in a Proof of Claim form to ask for money in connection with the Action. If you exclude yourself from the Class, you will be able to sue, continue to sue, or be part of a different lawsuit or arbitration against the Releasees

**The Lawyers Representing You**

**16. Do I have a lawyer in the case?**

The Court has appointed the law firm of Grant & Eisenhofer P.A. to represent the Lead Plaintiffs and all other Class Members in the Action. The Court created the Executive Committee consisting of lawyers representing different Global Crossing and Asia Global Crossing interests including separate lawyers representing: (a) stockholders of Frontier Corporation at the time the company was acquired by Global Crossing; (b) stockholders of IPC and IXNet at the time the companies were acquired by Global Crossing; (c) Global Crossing bond holders; (d) Global Crossing preferred stockholders; and (e) Asia Global Crossing stockholders. These lawyers are called Class Counsel. You will not be charged directly by these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

**17. How will the lawyers be paid?**

Lead Counsel will file a motion for the award of attorneys' fees and expenses. This motion will be considered at the Fairness Hearing. Before being named Lead Plaintiffs, the Public Employees' Retirement System of Ohio and State Teachers' Retirement System of Ohio negotiated a fee agreement with Lead Counsel providing that Lead Counsel may request a fee of no more than 19% of the recovery up to \$150 million and 18% of the recovery from \$150 million to \$300 million. Lead Counsel will seek no more than the \$15.95 million in fees, as is permitted under its agreement with the Lead Plaintiffs. The amount of expenses Lead Counsel intends to seek will not exceed \$1 million. The requested fees and expenses would amount to an average of \$0.001 per eligible share of Global Crossing common stock; \$0.081 per eligible share of Global Crossing common stock traceable to the Secondary Offering; \$2.088 per eligible share of Global Crossing 6.75% preferred stock; \$0.063 per eligible Global Crossing note; \$0.0035 per eligible share for Asia Global Crossing common stock; and \$1.862 per eligible Asia Global Crossing note.

**Objecting to the Settlement or the Attorneys' Fees**

If you do not exclude yourself from the Class, you can tell the Court that you do not agree with the Settlement or some part of it, including the attorneys' fees and expenses the lead attorneys representing the plaintiffs in the Action intend to seek.

**18. How do I tell the Court that I don't like the Settlement?**

If you are a Class Member and you do not exclude yourself, you can object to the Settlement if you do not like any part of it. You can give reasons why you think the Court should not approve it. To object, you must send a letter or other filing saying that you object to the proposed Settlement in *In re Global Crossing Securities Litigation*, Case No. 02 Civ. 910 (GEL). Be sure to include your name, address, telephone number, signature, and the reasons you object to the Settlement. Your written objection must be served on the following counsel and must be received by them no later than October 6, 2006:

**Plaintiffs' Lead Counsel**

Jay W. Eisenhofer, Esq.  
Sidney S. Liebesman, Esq.  
Grant & Eisenhofer P.A.  
Chase Manhattan Centre, Suite 2100  
1201 N. Market Street  
Wilmington, DE 19801

**Underwriter Defendants' Counsel**

Peter L. Simmons, Esq.  
Fried, Frank, Harris, Shriver  
& Jacobson LLP  
One New York Plaza  
New York, NY 10004

**CIBC Counsel**

T. Mark McLaughlin, Esq.  
Daniel L. Ring, Esq.  
Mayer, Brown, Rowe &  
Maw LLP  
71 S. Wacker Drive New  
Chicago, IL 60606-4637

You must also file your objection with the clerk of the United States District Court for the Southern District of New York. The address is: Clerk of the U.S. District Court for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, NY 10007-1312. The Clerk **must** receive your objection no later than October 6, 2006.

**19. What's the difference between objecting and excluding?**

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you are a Class Member. Excluding yourself is telling the Court that you do not want to be part of the Class. If you exclude yourself from the Class, you have no basis to object, because the case no longer affects you. If you do not exclude yourself from the Settlement, you will remain a member of

Class and will be bound by the terms of the Settlement Agreement (including the Release) and all orders and judgments entered by the Court regarding the Settlement regardless of whether the Court accepts or denies your objection.

**20. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Fairness Hearing at 10 a.m. on October 27, 2006 at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, in Courtroom 6B. At this hearing, the Court will consider whether the Settlement is fair, reasonable and adequate. If there are objections, the Court will consider them. After the Fairness Hearing, the Court will decide whether to approve the Settlement. The Court will also rule on the motions for attorneys' fees and expenses. We do not know how long these decisions will take.

**21. Do I have to come to the hearing?**

No. Class Counsel will answer any questions Judge Lynch might have. But you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, it will be before the Court when the Court considers whether to approve the Settlement as fair, reasonable and adequate. You also may pay your own lawyer to attend the Fairness Hearing, but attendance is not necessary.

**22. May I speak at the hearing?**

If you are a Class Member who has not requested to be excluded from the Class, you may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter or other paper called a "Notice of Intention to Appear at Fairness Hearing in *In re Global Crossing, Ltd. Securities Litigation*." Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be served on the counsel listed above no later than October 17, 2006, and must be filed with the Clerk of the Court at the address in the Answer to Question No. 18. You cannot speak at the Fairness Hearing if you are a Class Member and you exclude yourself.

**If You Do Nothing**

**23. What happens if I do nothing at all?**

If you do nothing and you are a Class Member, you will not receive any payment in connection with that portion of the Settlement relating to the Action. However, you will still be bound by the Settlement. Even if you receive no payment, you will not be able to start a lawsuit or arbitration, continue a lawsuit or arbitration, or be part of any other lawsuit or arbitration against any Releasees based on the claims in the Action unless you exclude yourself.

**Getting More Information**

**24. Are there more details about the Settlement?**

This Notice summarizes the proposed Settlement. The complete Settlement is set out in the Settlement Agreement. You may request a copy of the Settlement Agreement in writing to Global Crossing, Ltd. Securities Litigation, Financial Institutions Partial Settlement, c/o The Garden City Group, Inc., Claims Administrator, P.O. Box 9000 #6152, Merrick, NY 11566-9000. There may be a charge for copying and mailing the Settlement Agreement. Copies may be obtained for free at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com). The Settlement Agreement was also filed in the *In re Global Crossing Ltd. Securities Litigation*, 02-CV-910 with the Clerk of the United States District Court for the Southern District of New York and may be obtained from the Clerk's office directly. Further information regarding the Action and this Notice may be obtained by contacting Lead Counsel:

Jay W. Eisenhofer, Esq.  
Sidney S. Liebesman, Esq.  
Grant & Eisenhofer P.A.  
Chase Manhattan Centre  
1201 N. Market Street, Suite 2100  
Wilmington, Delaware 19801  
Telephone: (302) 622-7000  
Facsimile: (302) 622-7100

## 25. How do I get more information?

You can call 1-866-808-3497 toll free, write to the Claims Administrator, or visit the website at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), where you will find answers to common questions about the Settlement, the claim form, plus other information to help you determine whether you are a Class Member and whether you are eligible for payment.

### **Exhibit A** **Extract of Settlement Agreement Defining Released Claims**

“Financial Institution-Related Releasees” means the Financial Institution Settling Defendants; the Additional AX Underwriters; their respective present and former parents, subsidiaries, divisions and affiliates; the present and former employees, members, partners, principals, officers and directors, attorneys, advisors, trustees, administrators, fiduciaries, consultants, representatives, accountants and auditors, insurers, and agents of each of them; the predecessors, estates, heirs, executors, trusts, trustees, administrators, successors and assigns of each of them, and any person or entity which is or was related to or affiliated with any of the foregoing or in which any of them has or had a Controlling Interest. However, the Financial Institution-Related Releasees shall not be construed to include the Remaining Defendants and Their Affiliates.

“Global Crossing & Affiliates” means each and all of Global Crossing Ltd. and any or all of its respective parents, predecessors, successors, affiliates (as defined in 17 C.F.R. Part 210.1-02.b), divisions, business units, subsidiaries and entities in which it has or had a Controlling Interest. As used in this Settlement Agreement, the term Global Crossing & Affiliates further includes, without limitation, Asia Global Crossing Ltd., Global Crossing North America, Inc. (formerly known as Frontier Corporation), Global Marine Services, RACAL, IPC Communications, IXnet and Global Crossing Limited, and their respective parents, predecessors, successors, affiliates (as defined in 17 C.F.R. Part 210.1-02.b), divisions, subsidiaries or entities in which any of them have a Controlling Interest.

“GX/AX Securities” means any securities (i) issued by Global Crossing & Affiliates, including, but not limited to, stock, bonds, notes, employee stock options, commercial paper or other evidence of indebtedness, or derivative instruments, or (ii) that trade in whole or in part based on the price or value of any security issued by Global Crossing & Affiliates, including, but not limited to, put and call options and any other derivative instruments (including, but not limited to, collars, hedges and straddles).

“Released Claims” means, as against the Financial Institution-Related Releasees, any and all Claims (a) based upon, arising out of or related in any way to any Investment Decision relating to GX/AX Securities during the Class Period; (b) that were asserted or could have been asserted against the Financial Institution-Related Releasees by any or all of the Lead Plaintiffs, the Additional Named Plaintiffs and members of the Class under state, federal or foreign law as claims, cross-claims, counterclaims, or third-party claims; (c) based upon, arising out of or related in any way to any fact, circumstance, occurrence or conduct asserted in the Action, or in any prior pleading filed in the Action or in any constituent action prior to consolidation; (d) based upon, arising out of or related in any way to any disclosures, registration statements or other public or private statements by Global Crossing & Affiliates, or relating to any analyst research reports or other statements made or issued by or published by any of the Financial Institution-Related Releasees concerning Global Crossing & Affiliates; (e) based upon, arising out of or related in any way to any claimed direct or indirect participation by the Financial Institution-Related Releasees in the conduct, acts, or omissions of any of the members of the boards of directors (or any of their committees) of Global Crossing & Affiliates or; (f) based upon, arising out of or related in any way to any claimed direct or indirect control by the Financial Institution-Related Releasees over Global Crossing & Affiliates. “Released Claims” include, without limitation, any and all Unknown Claims.

“Remaining Defendants and Their Affiliates” means Microsoft Corp. and Softbank Corp., and their respective present and former parents, subsidiaries, divisions and affiliates; the present and former employees, members, partners, principals, officers and directors, attorneys, advisors, trustees, administrators, fiduciaries, consultants, representatives, accountants and auditors, insurers, and agents of each of them; the predecessors, estates, heirs, executors, trusts, trustees, administrators, successors and assigns of each of them, and any person or entity which is or was related to or affiliated with any of the foregoing or in which any of them has or had a Controlling Interest.

“Unknown Claims” means any and all Claims that any Class Member does not know or suspect to exist in his, her or its favor at any time on or before the date that such Class Member’s release becomes effective, including any Claim for new or additional damages or injuries, and that, if known by him, her or it, might have affected his, her or its settlement with any of the Financial Institution-Related Releasees or might have affected his, her or its decision not to request exclusion from the Class or not to object to this Settlement Agreement, including any Claim for new or additional damages or injuries. The Class and every Class Member relinquishes and waives, to the full extent permitted by law, including pursuant to § 3268 of the California Civil Code (to the extent state law is applicable), the provisions, rights and benefits of § 1542 of the California Civil Code and all provisions, rights and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable or equivalent to California Civil Code § 1542, which, absent such a waiver, limits the ability of a general release to cover unknown claims.

## Exhibit B

### **SECURITIES PLAN OF ALLOCATION FOR SETTLEMENT WITH UNDERWRITER DEFENDANTS**

1. The \$82,500,000 Securities Cash Settlement Amount and the interest earned thereon shall be the Global Crossing-Underwriter Gross Settlement Fund.<sup>3</sup> The Global Crossing-Underwriter Gross Settlement Fund, less all taxes, approved costs, fees and expenses (the "GX-Underwriter Net Settlement Fund") shall be distributed to members of the Class who submit timely and valid Proofs of Claim ("Securities Authorized Claimants"). The GX-Underwriter Net Settlement Fund shall be allocated separately among Purchasers of Global Crossing Securities ("GX-Underwriter Authorized Claimants") and Asia Global Crossing Securities ("Asia GX-Underwriter Authorized Claimants"). The allocation, described below, is based upon the relative damages suffered by the groups of Class Members and the likelihood of recovery of each group in the event the case were to proceed to trial.

2. The following proposed Securities Plan of Allocation reflects Plaintiffs' contention that because of alleged misrepresentations and omissions about Global Crossing's and Asia Global Crossing's financial condition and prospects, the prices of Global Crossing common stock purchased in the Secondary Offering dated April 11, 2000 or shares of common stock purchased that are traceable to this offering, and the 6.75% cumulative preferred stock (collectively "Global Crossing Securities") were inflated artificially during the period, February 1, 1999 through December 8, 2003 (the "Global Crossing Class Period") and Asia Global Crossing common stock or bonds (collectively "Asia Global Crossing Securities") were inflated artificially during the period, October 6, 2000 through December 8, 2003 (the "Asia Global Crossing Class Period"). The period from February 1, 1999 through December 8, 2003 is referred to herein as the "Securities Class Period."

3. Accordingly, the GX-Underwriter Net Settlement Fund shall be allocated among purchasers of Global Crossing Securities and Asia Global Crossing Securities, as follows: (i) 92.0% of the GX-Underwriter Net Settlement Fund shall be allocated to claims on behalf of Global Crossing Securities (the "GX Settlement Amount"); and (ii) 8.0% of the GX-Underwriter Securities Net Settlement Fund shall be allocated to claims on behalf of Asia Global Crossing Securities purchased by Class Members during the Class Period (the "Asia GX Settlement Amount").

4. The Claims Administrator shall determine each Authorized Claimant's *pro rata* share of the GX-Underwriter Net Settlement Fund based upon each Authorized Claimant's "Recognized Claim" from transactions in each of the two (2) groups defined above, during the entire Securities Class Period. The Recognized Claim formula is not intended to be an estimate of the amount that a Securities 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 GX-Underwriter Net Settlement Fund will be proportionately allocated to the Securities Authorized Claimants.

5. A GX-Underwriter Authorized Claimant's total "Recognized Claim" shall constitute the sum of such claimant's "Recognized Claim" for each of the classes of securities set forth below:

#### **(a) Global Crossing Common Stock Purchases:**

(i) for each share of Global Crossing common stock purchased in the Secondary Offering dated approximately April 11, 2000 or otherwise acquired and traceable to this offering and acquired on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of the Global Crossing Class Period), the "Recognized Claim" shall be equal to purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value per Share" on the date of purchase of the Global Crossing common stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com)).

(ii) for each share of Global Crossing common stock purchased in the Secondary Offering dated approximately April 11, 2000 or otherwise acquired and traceable to this offering and acquired on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of**<sup>4</sup> (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing common stock during the Global Crossing Class Period and (y) the proceeds received on sale (net of commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of sale of the Global Crossing common stock, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing common stock purchased in the Secondary Offering dated approximately April 11, 2000 or otherwise acquired and traceable to this offering and acquired on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing common stock during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

<sup>3</sup> Capitalized terms not otherwise defined in this Securities Plan of Allocation shall have the same meaning ascribed to them in the Settlement Agreement.

<sup>4</sup> For the purposes hereof, the lesser of two loss figures is the number closer to zero. Thus, for example, comparing a loss of \$5.00 to a loss of \$10.00, the \$5.00 loss is the lesser loss.

(iv) for each share of Global Crossing common stock purchased in the Secondary Offering dated approximately April 11, 2000 or otherwise acquired and traceable to this offering and acquired after January 28, 2002, through and including December 8, 2003, if the shares have been sold and the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$.02 per share; if the shares have been sold at a gain, the Recognized Claim shall be \$0.

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated True Value Per Share" on a daily basis during the time period, April 11, 2000 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com)), and may also be obtained by request to the Claims Administrator, The Garden City Group, Inc.; and

(vi) If the total of all "Recognized Claims" from the Purchase of Global Crossing common stock in the Secondary Offering dated April 11, 2000 or shares of common stock traceable to this offering reflects that, as a result of all transactions in Global Crossing of these shares of common stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing common stock shall be \$0.

**(b) Global Crossing 6.75% Cumulative Preferred Stock:**

(i) for each share of Global Crossing 6.75% cumulative preferred stock purchased in the offering dated approximately April 14, 2000 or otherwise acquired or traceable to this offering and acquired on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the Recognized Claim" shall be equal to the purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value per Share" on the date of purchase of Global Crossing 6.75% cumulative preferred stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each share of Global Crossing 6.75% cumulative preferred stock purchased in the offering dated approximately April 14, 2000 or otherwise acquired or traceable to this offering and acquired on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimate True Value Per Share" on the date of purchase of the Global Crossing 6.75% cumulative preferred stock during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of sale of the Global Crossing 6.75% cumulative preferred stock, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 6.75% cumulative preferred stock purchased in the offering dated approximately April 14, 2000 or otherwise acquired or traceable to this offering and acquired on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing 6.75% cumulative preferred stock during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Global Crossing 6.75% cumulative preferred stock purchased in the offering dated approximately April 14, 2000 or otherwise acquired or traceable to this offering and acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$0.025 per share: if it is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Share" on a daily basis during the time period, April 14, 2000 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com)), and may also be obtained by request to Claims Administrator, The Garden City Group; and

(vi) if the total of all "Recognized Claims" from Purchases of Global Crossing 6.75% cumulative preferred stock purchased in the offering of these shares on April 14, 2000 or on the open market or otherwise acquired on or after April 14, 2000 and on or before January 28, 2002 reflects that, as a result of all such transactions in Global Crossing 6.75% cumulative preferred stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 6.75% cumulative preferred stock shall be \$0.

6. An Asia GX-Underwriter Authorized Claimant's total "Recognized Claim" shall constitute the sum of such claimant's "Recognized Claim" for each of the classes of securities set forth below:

**(a) Asia Global Crossing Common Stock Purchases:**

(i) for each share of Asia Global Crossing common stock purchased in the offering dated approximately October 6, 2000 or otherwise acquired or traceable to this offering and acquired on or before November 17, 2002,<sup>5</sup> which an Asia Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of the Asia Global Crossing Class Period), the “Recognized Claim” shall be equal to the purchase price paid (including commissions etc.) minus “Plaintiffs’ Contention of the Estimated True Value per Share” on the date of purchase of the Asia Global Crossing common stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each share of Asia Global Crossing common stock purchased in the offering dated approximately October 6, 2000 or otherwise acquired or traceable to this offering and acquired on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold prior to the close of trading on November 17, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Share” on the date of purchase of the Asia Global Crossing common stock during the Asia Global Crossing Class Period and (y) the proceeds received on sale (net of commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Share” on the date of sale of the Asia Global Crossing common stock, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Asia Global Crossing common stock purchased in the offering dated approximately October 6, 2000 or otherwise acquired or traceable to this offering and acquired on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold after the close of trading on November 17, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Share” on the date of purchase of the Asia Global Crossing common stock during the Asia Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Asia Global Crossing common stock purchased in the offering dated approximately October 6, 2000 or otherwise acquired or traceable to this offering and acquired after November 17, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$0.02 per share: if it is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth “Securities Lead Plaintiffs’ Contention Of The Estimated Inflation Per Share” on a daily basis during the time period, October 6, 2000 through and including November 17, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to the Claims Administrator, The Garden City Group, Inc.; and

(vi) If the total of all “Recognized Claims” from the Purchase of Asia Global Crossing common stock purchased on the open market or otherwise acquired on or after October 6, 2000 and on or before November 17, 2002, reflects that, as a result of all such transactions in Asia Global Crossing common stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Asia Global Crossing common stock shall be \$0.

**(b) Asia Global Crossing 13.375% Senior Notes Purchases:**

(i) for each Asia Global Crossing 13.375% Senior Note purchased in the offering dated October 12, 2000 or otherwise acquired or traceable to this offering and acquired on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003, the “Recognized Claim” shall be equal to the purchase price paid (including commissions etc.) minus “Plaintiffs’ Contention of the Estimated True Value per Share” on the date of purchase of the Asia Global Crossing 13.375% Senior Notes (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each Asia Global Crossing 13.375% Senior Note purchased in the offering dated October 12, 2000 or otherwise acquired or traceable to this offering and acquired on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold prior to the close of trading on November 17, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of purchase of the Asia Global Crossing 13.375% Senior Note during the Asia Global Crossing Class Period and (y) the proceeds received on sale (net of commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of sale of the Asia Global Crossing 13.375% Senior Note, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each Asia Global Crossing 13.375% Senior Note purchased in the offering dated October 12, 2000 or otherwise acquired or traceable to this offering and acquired on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold after the close of trading on November 17, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of purchase of the Asia Global Crossing 13.375% Senior Note during the Asia Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

<sup>5</sup> The date of the Asia Global Crossing bankruptcy filing.

(iv) for each Asia Global Crossing 13.375% Senior Note purchased in the offering dated October 12, 2000 or otherwise acquired or traceable to this offering and acquired after November 17, 2002, through and including December 8, 2003, the Recognized Claim shall be the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.), which proceeds include any amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such exchange notes; if the net amount is a loss, the Recognized Claim shall be \$1.50 per note; if the net amount is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Note" on a daily basis during the time Period, October 12, 2000 through and including November 17, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to the Claims Administrator, The Garden City Group, Inc.;

(vi) Each Asia Global Crossing Securities Authorized Claimant's total "Recognized Claim" from Purchases of Asia Global Crossing 13.375% Senior Notes shall be reduced by the amount such claimant received in the Asia Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such senior notes; and

(vii) If the total of all "Recognized Claims" from the Purchase of Asia Global Crossing 13.375% Senior Notes reflects that, as a result of all transactions in Asia Global Crossing 13.375% Senior Notes, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Asia Global Crossing 13.375% Senior Notes shall be \$0.

7. An Asia GX-Underwriter PO Authorized Claimant's total "Recognized Claim" shall constitute the sum of such claimant's "Recognized Claim" for each of the classes of securities set forth below:

#### **Other Instructions and Guidelines**

8. For Securities Class Members who held Global Crossing Securities or Asia Global Crossing at the beginning of the Securities Class Period or made multiple purchases or sales during the Securities Class Period, the first-in, first-out ("FIFO") method will be applied to such holdings, purchases and sales for purposes of calculating a claim. Under the FIFO method, for each class of security, each sale of a Global Crossing Security or Asia Global Crossing Security during the Securities Class Period will be matched, in chronological order, first against the Global Crossing Securities or Asia Global Crossing Securities held at the beginning of the Class Period in such class of security. Such holdings and sales will be excluded from the calculation of the loss. For each class of security, the remaining sales of a Global Crossing Security or Asia Global Crossing Security during the Securities Class Period will then be matched, in chronological order, against purchases of such Global Crossing Securities or Asia Global Crossing Securities during the Securities Class Period. A purchase or sale of Global Crossing Securities or Asia Global Crossing Securities shall be deemed to have occurred on the "contract" or "trade" date as opposed to the "settlement" or "payment" date. The receipt or grant by gift, devise or operation of law of Global Crossing Securities or Asia Global Crossing Securities during the Securities Class Period shall not be deemed a purchase or sale of Global Crossing Securities or Asia Global Crossing Securities for the calculation of a Securities Authorized Claimant's Recognized Claim nor shall it be deemed an assignment of any claim relating to the purchase of such shares or notes unless specifically provided in the instrument of gift or assignment.

9. (a) Each GX-Underwriter Authorized Claimant shall be allocated a *pro rata* share of 92.0% of the GX-Underwriter Net Settlement Fund based on his, her or its Recognized Claim compared to the Total Recognized Claims of all GX Underwriter Authorized Claimants.

(b) Each Asia GX-Underwriter Authorized Claimant shall be allocated a *pro rata* share of 8.0% of the GX-Underwriter Net Settlement Fund based on his, her or its Recognized Claim compared to the Total Recognized Claims of all Asia GX Underwriter Authorized Claimants.

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

11. Bank drafts will be distributed to Authorized Claimants after the Effective Date of the Settlement(s) and after all claims have been processed. If any funds remain in the GX-Underwriter Net Settlement Fund by reason of uncashed bank drafts or otherwise, then, after the Claims Administrator has made reasonable and diligent efforts to have Securities Class Members who are entitled to participate in the distribution of the GX-Underwriter Net Settlement Fund cash their bank drafts, any balance remaining in the GX-Underwriter 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 GX-Underwriter Net Settlement Fund for such re-distribution, to Securities Class Members who have cashed their bank drafts 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 GX-Underwriter Net Settlement Fund, then such balance shall be contributed to non-sectarian, not-for-profit, 501(c)(3) organization(s) designated by Plaintiffs' Lead Counsel.

12. No distributions shall be made to any claimant who would receive \$10.00 or less based on the initial allocation of the GX-Underwriter Net Settlement Fund.

13. The Court has reserved jurisdiction to allow, disallow, or adjust the claim of any Securities Class Member on equitable grounds.

## Exhibit C

### **SECURITIES PLAN OF ALLOCATION FOR SETTLEMENT WITH CIBC DEFENDANTS**

1. The \$16,500,000 Securities Cash Settlement Amount and the interest earned thereon shall be the Global Crossing-CIBC Gross Settlement Fund.<sup>6</sup> The Global Crossing-CIBC Gross Settlement Fund, less all taxes, approved costs, fees and expenses (the "GX-CIBC Net Settlement Fund") shall be distributed to members of the Class who submit timely and valid Proofs of Claim ("Securities Authorized Claimants"). The GX-CIBC Net Settlement Fund shall be allocated separately among Purchasers of Global Crossing Securities ("GX-Underwriter Authorized Claimants") and Asia Global Crossing Securities ("Asia GX-CIBC Authorized Claimants"). The allocation, described below, is based upon the relative damages suffered by the groups of Class Members and the likelihood of recovery of each group in the event the case were to proceed to trial.

2. The following proposed Securities Plan of Allocation reflects Plaintiffs' contention that because of alleged misrepresentations and omissions about Global Crossing's and Asia Global Crossing's financial condition and prospects, the prices of Global Crossing common stock, the 6.375% cumulative preferred stock, the 6.75% cumulative preferred stock, the 7.0% cumulative preferred stock, the 8.7% Exchange Notes, the 9.125% Senior Notes, the 9.50% Senior Notes, and the 9.625% Senior Notes (collectively "Global Crossing Securities") were inflated artificially during the period, February 1, 1999 through December 8, 2003 (the "Global Crossing Class Period") and Asia Global Crossing common stock or bonds (collectively "Asia Global Crossing Securities") were inflated artificially during the period, October 6, 2000 through December 8, 2003 (the "Asia Global Crossing Class Period"). The period from February 1, 1999 through December 8, 2003 is referred to herein as the "Securities Class Period."

3. Accordingly, the GX-CIBC Net Settlement Fund shall be allocated among purchasers of Global Crossing Securities and Asia Global Crossing Securities, as follows: (i) 92.0% of the GX-CIBC Net Settlement Fund shall be allocated to claims on behalf of Global Crossing Securities (the "GX Settlement Amount"); and (ii) 8.0% of the GX-CIBC Securities Net Settlement Fund shall be allocated to claims on behalf of Asia Global Crossing Securities purchased by Class Members during the Class Period (the "Asia GX Settlement Amount").

4. The Claims Administrator shall determine each Authorized Claimant's *pro rata* share of the GX-CIBC Net Settlement Fund based upon each Authorized Claimant's "Recognized Claim" from transactions in each of the two (2) groups defined above, during the entire Securities Class Period. The Recognized Claim formula is not intended to be an estimate of the amount that a Securities 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 GX-CIBC Net Settlement Fund will be proportionately allocated to the Securities Authorized Claimants.

5. A GX-CIBC Authorized Claimant's total "Recognized Claim" shall constitute the sum of such claimant's "Recognized Claim" for each of the classes of securities set forth below:

#### **(a) Global Crossing Common Stock Purchases:**

(i) for each share of Global Crossing common stock<sup>7</sup> purchased on the open market or otherwise acquired on or after February 1, 1999 and on or before January 28, 2002,<sup>8</sup> which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of the Global Crossing Class Period), the "Recognized Claim" shall be equal to purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value Per Share" on the date of purchase of the Global Crossing common stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com)).

(ii) for each share of Global Crossing common stock purchased on the open market or otherwise acquired on or after February 1, 1999 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of**<sup>9</sup> (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing common stock during the Global Crossing Class Period and (y) the proceeds received on sale (net of commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of sale of the Global Crossing common stock, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing common stock purchased on the open market or otherwise acquired after February 1, 1999 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing common stock during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

<sup>6</sup> Capitalized terms not otherwise defined in this Securities Plan of Allocation shall have the same meaning ascribed to them in the Settlement Agreement.

<sup>7</sup> All calculations concerning Global Crossing common stock take into account the two for one stock split on March 9, 1999. For any shares of Global Crossing common stock purchased before March 9, 1999, the Administrator will calculate the Recognized Claim by dividing the price by two and multiplying the number of shares by two.

<sup>8</sup> The date of Global Crossing's bankruptcy filing.

<sup>9</sup> For purposes hereof, the lesser of two loss figures is the number closer to zero. Thus, for example, comparing a loss of \$5.00 to a loss of \$10.00, the \$5.00 loss is the lesser loss.

(iv) for each share of Global Crossing common purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the shares have been sold and the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$.02 per share; if the shares have been sold at a gain, the Recognized Claim shall be \$0.

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated True Value Per Share" on a daily basis during the time period, February 1, 1999 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to the Claims Administrator, The Garden City Group, Inc.; and

(vi) If the total of all "Recognized Claims" from the Purchase of Global Crossing common stock reflects that, as a result of all transactions in Global Crossing of these shares of common stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing common stock shall be \$0.

**(b) Global Crossing 6.375% Cumulative Preferred Stock:**

(i) for each share of Global Crossing 6.375% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 3, 2000<sup>10</sup> and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the "Recognized Claim" shall be equal to the purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value per Share" on the date of purchase of Global Crossing 6.375% cumulative preferred stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each share of Global Crossing 6.375% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 3, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimate True Value Per Share" on the date of purchase of the Global Crossing 6.375% cumulative preferred stock during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of sale of the Global Crossing 6.375% cumulative preferred stock, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 6.375% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 3, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing 6.375% cumulative preferred stock during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Global Crossing 6.375% cumulative preferred stock purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$0.025 per share: if it is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Share" on a daily basis during the time period, April 3, 2000 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to Claims Administrator, The Garden City Group and;

(vi) if the total of all "Recognized Claims" from Purchases of Global Crossing 6.375% cumulative preferred stock reflects that, as a result of all such transactions in Global Crossing 6.375% cumulative preferred stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 6.375% cumulative preferred stock shall be \$0.

**(c) Global Crossing 6.75% Cumulative Preferred Stock:**

(i) for each share of Global Crossing 6.75% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 14, 2000<sup>11</sup> and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the "Recognized Claim" shall be equal to the purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value per Share" on the date of purchase of Global Crossing 6.75% cumulative preferred stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each share of Global Crossing 6.75% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 14, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimate True Value Per Share" on the date of purchase of the Global Crossing 6.75% cumulative preferred stock during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission

<sup>10</sup> April 3, 2000 is the date Global Crossing 6.375% cumulative preferred stock was issued in a public offering.

<sup>11</sup> April 14, 2000 is the date Global Crossing 6.75% cumulative preferred stock was issued in a public offering.

etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of sale of the Global Crossing 6.75% cumulative preferred stock, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 6.75% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 14, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing 6.75% cumulative preferred stock during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Global Crossing 6.75% cumulative preferred stock purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$0.025 per share: if it is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Share" on a daily basis during the time period, April 14, 2000 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to Claims Administrator, The Garden City Group and;

(vi) if the total of all "Recognized Claims" from Purchases of Global Crossing 6.75% cumulative preferred reflects that, as a result of all such transactions in Global Crossing 6.75% cumulative preferred stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 6.75% cumulative preferred stock shall be \$0.

**(d) Global Crossing 7.0% Cumulative Preferred Stock:**

(i) for each share of Global Crossing 7.0% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 3, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the "Recognized Claim" shall be equal to the purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value per Share" on the date of purchase of Global Crossing 7.0% cumulative preferred stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each share of Global Crossing 7.0% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 3, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimate True Value Per Share" on the date of purchase of the Global Crossing 6.75% cumulative preferred stock during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of sale of the Global Crossing 7.0% cumulative preferred stock, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 7.0% cumulative preferred stock purchased on the open market or otherwise acquired on or after April 3, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Global Crossing 7.0% cumulative preferred stock during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Global Crossing 7.0% cumulative preferred stock purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$0.025 per share: if it is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Share" on a daily basis during the time period, April 3, 2000 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to Claims Administrator, The Garden City Group and;

(vi) if the total of all "Recognized Claims" from Purchases of Global Crossing 7.0% cumulative preferred stock reflects that, as a result of all such transactions in Global Crossing 7.0% cumulative preferred stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 7.0% cumulative preferred stock shall be \$0.

**(e) Global Crossing 8.7% Exchange Notes Purchases:**

(i) for each Global Crossing 8.7% Exchange Note purchased on the open market or otherwise acquired on or after January 29, 2001<sup>12</sup> and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the “Recognized Claim” shall be equal to the purchase price paid (including commissions etc.) minus “Plaintiffs’ Contention of the Estimated True Value per Note” on the date of purchase of Global Crossing 8.7% Exchange Notes (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each Global Crossing 8.7% Exchange Note purchased on the open market or otherwise acquired on or after January 29, 2001 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimate True Value Per Note” on the date of purchase of the Global Crossing 8.7% Exchange Note during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of sale of the Global Crossing 8.7% Exchange Note, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 8.7% Exchange Note purchased on the open market or otherwise acquired on or after January 29, 2001 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of purchase of the Global Crossing 8.7% Exchange Note during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Global Crossing 8.7% Exchange Note purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) which proceeds include any amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD OF THE Proof of Claim Form relating to such Exchange Notes; if the net amount is a loss, the Recognized Claim shall be \$1.50 per Note; if the net amount is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth “Securities Lead Plaintiffs’ Contention Of The Estimated Inflation Per Note” on a daily basis during the time period, January 29, 2001 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to Claims Administrator, The Garden City Group;

(vi) each Global Crossing Securities Authorized Claimant’s total “Recognized Claim” from purchases of Global Crossing 8.7% Exchange Notes shall be reduced by the amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such Exchange Notes; and

(vii) if the total of all “Recognized Claims” from Purchases of Global Crossing 8.7% Exchange Notes (plus any funds received in the Global Crossing Bankruptcy) reflects that, as a result of all such transactions in Global Crossing 8.7% Exchange Notes, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 8.7% Exchange Notes shall be \$0.

**(f) Global Crossing 9.125% Senior Notes Purchases:**

(i) for each Global Crossing 9.125% Senior Note purchased on the open market or otherwise acquired on or after May 15, 2000<sup>13</sup> and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the “Recognized Claim” shall be equal to the purchase price paid (including commissions etc.) minus “Plaintiffs’ Contention of the Estimated True Value per Note” on the date of purchase of Global Crossing 9.125% Senior Notes (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each Global Crossing 9.125% Senior Note purchased on the open market or otherwise acquired on or after May 15, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimate True Value Per Note” on the date of purchase of the Global Crossing 9.125% Senior Note during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of sale of the Global Crossing 9.125% Senior Note, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 9.125% Senior Note purchased on the open market or otherwise acquired on or after May 15, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of purchase of the Global Crossing 9.125% Senior Note during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

<sup>12</sup> January 29, 2001 is the date Global Crossing 8.7% Exchange Notes were issued in a public offering.

<sup>13</sup> May 15, 2000 is the date Global Crossing 9.125% Senior Notes were issued in a public offering.

(iv) for each share of Global Crossing 9.125% Senior Note purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) which proceeds include any amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD OF THE Proof of Claim Form relating to such Exchange Notes; if the net amount is a loss, the Recognized Claim shall be \$1.50 per Note; if the net amount is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Note" on a daily basis during the time period, May 15, 2000 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to Claims Administrator, The Garden City Group;

(vi) each Global Crossing Securities Authorized Claimant's total "Recognized Claim" from purchases of Global Crossing 9.125% Senior Notes shall be reduced by the amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such Exchange Notes; and

(vii) if the total of all "Recognized Claims" from Purchases of Global Crossing 9.125% Senior Notes (plus any funds received in the Global Crossing Bankruptcy) reflects that, as a result of all such transactions in Global Crossing 9.125% Senior Notes, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 9.125% Senior Notes shall be \$0.

**(g) Global Crossing 9.50% Senior Notes Purchases:**

(i) for each Global Crossing 9.50% Senior Note purchased on the open market or otherwise acquired on or after May 15, 2000<sup>14</sup> and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the "Recognized Claim" shall be equal to the purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value per Note" on the date of purchase of Global Crossing 9.50% Senior Notes (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each Global Crossing 9.50% Senior Note purchased on the open market or otherwise acquired on or after May 15, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimate True Value Per Note" on the date of purchase of the Global Crossing 9.50% Senior Note during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Note" on the date of sale of the Global Crossing 9.50% Senior Note, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 9.50% Senior Note purchased on the open market or otherwise acquired on or after May 15, 2000 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Note" on the date of purchase of the Global Crossing 9.50% Senior Note during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Global Crossing 9.50% Senior Note purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) which proceeds include any amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD OF THE Proof of Claim Form relating to such Exchange Notes; if the net amount is a loss, the Recognized Claim shall be \$1.50 per Note; if the net amount is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Note" on a daily basis during the time period, May 15, 2000 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to Claims Administrator, The Garden City Group;

(vi) each Global Crossing Securities Authorized Claimant's total "Recognized Claim" from purchases of Global Crossing 9.50% Senior Notes shall be reduced by the amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such Exchange Notes; and

(vii) if the total of all "Recognized Claims" from Purchases of Global Crossing 9.50% Senior Notes (plus any funds received in the Global Crossing Bankruptcy) reflects that, as a result of all such transactions in Global Crossing 9.50% Senior Notes, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 9.50% Senior Notes shall be \$0.

<sup>14</sup> May 15, 2000 is the date Global Crossing 9.50% Senior Notes were issued in a public offering.

**(h) Global Crossing 9.625% Senior Notes Purchases:**

(i) for each Global Crossing 9.625% Senior Note purchased on the open market or otherwise acquired on or after February 1, 1999 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of Global Crossing Class Period), the “Recognized Claim” shall be equal to the purchase price paid (including commissions etc.) minus “Plaintiffs’ Contention of the Estimated True Value per Note” on the date of purchase of Global Crossing 9.625% Senior Notes (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each Global Crossing 9.625% Senior Note purchased on the open market or otherwise acquired on or after February 1, 1999 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold prior to the close of trading on January 28, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimate True Value Per Note” on the date of purchase of the Global Crossing 9.625% Senior Note during the Global Crossing Class Period and (y) the proceeds received on sale (net of commission etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of sale of the Global Crossing 9.625% Senior Note, **or** (b) the difference between (x) the purchase price paid (including commission etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Global Crossing 9.625% Senior Note purchased on the open market or otherwise acquired on or after February 1, 1999 and on or before January 28, 2002, which a Global Crossing Securities Authorized Claimant sold after the close of trading on January 28, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Note” on the date of purchase of the Global Crossing 9.625% Senior Note during the Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Global Crossing 9.625% Senior Note purchased on the open market or otherwise acquired after January 28, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) which proceeds include any amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD OF THE Proof of Claim Form relating to such Exchange Notes; if the net amount is a loss, the Recognized Claim shall be \$1.50 per Note: if the net amount is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth “Securities Lead Plaintiffs’ Contention Of The Estimated Inflation Per Note” on a daily basis during the time period, February 1, 1999 through and including January 28, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to Claims Administrator, The Garden City Group;

(vi) each Global Crossing Securities Authorized Claimant’s total “Recognized Claim” from purchases of Global Crossing 9.625% Senior Notes shall be reduced by the amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such Exchange Notes; and

(vii) if the total of all “Recognized Claims” from Purchases of Global Crossing 9.625% Senior Notes (plus any funds received in the Global Crossing Bankruptcy) reflects that, as a result of all such transactions in Global Crossing 9.625% Senior Notes, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Global Crossing 9.625% Senior Notes shall be \$0.

6. An Asia GX-Underwriter Authorized Claimant’s total “Recognized Claim” shall constitute the sum of such claimant’s “Recognized Claim” for each of the classes of securities set forth below:

**(a) Asia Global Crossing Common Stock Purchases:**

(i) for each share of Asia Global Crossing common stock purchased on the open market or otherwise acquired on or after October 6, 2000<sup>15</sup> and on or before November 17, 2002,<sup>16</sup> which an Asia Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003 (the end of the Asia Global Crossing Class Period), the “Recognized Claim” shall be equal to the purchase price paid (including commissions etc.) minus “Plaintiffs’ Contention of the Estimated True Value per Share” on the date of purchase of the Asia Global Crossing common stock (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each share of Asia Global Crossing common stock purchased on the open market or otherwise acquired on or after October 6, 2000 and on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold prior to the close of trading on November 17, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Share” on the date of purchase of the Asia Global Crossing common stock during the Asia Global Crossing Class Period and (y) the proceeds received on sale (net of commissions etc.) minus the “Plaintiffs’ Contention Of The Estimated True Value Per Share” on the date of sale of the Asia Global Crossing common stock, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each share of Asia Global Crossing common stock purchased on the open market or otherwise acquired on or after October 6, 2000 and on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold after the close of

<sup>15</sup> October 6, 2000 is the date of the Asia Global Crossing initial public offering.

<sup>16</sup> The date of the Asia Global Crossing bankruptcy filing.

trading on November 17, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Share" on the date of purchase of the Asia Global Crossing common stock during the Asia Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each share of Asia Global Crossing common stock purchased on the open market or otherwise acquired after November 17, 2002, through and including December 8, 2003, if the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received from the sale (net of commissions etc.) is a loss, or if the shares have not been sold, the Recognized Claim shall be \$0.02 per share: if it is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Share" on a daily basis during the time period, October 6, 2000 through and including November 17, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to the Claims Administrator, The Garden City Group, Inc.;

(vi) the "Recognized Claim" from Purchases of Asia Global Crossing common stock purchased in the October 6, 2000 Offering or purchased on the open market or otherwise acquired and traceable to this offering between October 6, 2000 and November 17, 2002 shall be multiplied by One Hundred and Ten Percent (110%); and

(vii) If the total of all "Recognized Claims" from the Purchase of Asia Global Crossing common stock purchased on the open market or otherwise acquired on or after October 6, 2000 and on or before November 17, 2002, reflects that, as a result of all such transactions in Asia Global Crossing common stock, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Asia Global Crossing common stock shall be \$0.

**(b) Asia Global Crossing 13.375% Senior Notes Purchases:**

(i) for each Asia Global Crossing 13.375% Senior Note purchased on the open market or otherwise acquired on or after October 12, 2000<sup>17</sup> and on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant continued to hold as of the close of trading on December 8, 2003, the "Recognized Claim" shall be equal to the purchase price paid (including commissions etc.) minus "Plaintiffs' Contention of the Estimated True Value per Note" on the date of purchase of the Asia Global Crossing 13.375% Senior Notes (as shown on the table set forth at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com));

(ii) for each Asia Global Crossing 13.375% Senior Note purchased on the open market or otherwise acquired on or after October 12, 2000 and on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold prior to the close of trading on November 17, 2002, the Recognized Claim shall be equal to **the lesser of** (a) the difference between (x) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Note" on the date of purchase of the Asia Global Crossing 13.375% Senior Note during the Asia Global Crossing Class Period and (y) the proceeds received on sale (net of commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Note" on the date of sale of the Asia Global Crossing 13.375% Senior Note, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iii) for each Asia Global Crossing 13.375% Senior Note purchased on the open market or otherwise acquired on or after October 12, 2000 and on or before November 17, 2002, which a Asia Global Crossing Securities Authorized Claimant sold after the close of trading on November 17, 2002, but prior to the close of trading on December 8, 2003, the Recognized Claim shall be equal to **the lesser of** (a) the purchase price paid (including commissions etc.) minus the "Plaintiffs' Contention Of The Estimated True Value Per Note" on the date of purchase of the Asia Global Crossing 13.375% Senior Note during the Asia Global Crossing Class Period, **or** (b) the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.);

(iv) for each Global Crossing 13.375% Senior Note purchased on the open market or otherwise acquired after November 17, 2002, through and including December 8, 2003, the Recognized Claim shall be the difference between (x) the purchase price paid (including commissions etc.) and (y) the proceeds received on sale (net of commissions etc.), which proceeds include any amount such claimant received in the Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such notes; if the net amount is a loss, the Recognized Claim shall be \$1.50 per note; if the net amount is a gain, the Recognized Claim shall be \$0;

(v) copies of the tables setting forth "Securities Lead Plaintiffs' Contention Of The Estimated Inflation Per Note" on a daily basis during the time Period, October 12, 2000 through and including November 17, 2002, are available on the Internet at [www.globalcrossinglitigation.com](http://www.globalcrossinglitigation.com), and may also be obtained by request to the Claims Administrator, The Garden City Group, Inc.;

(vi) the "Recognized Claim" from Purchases of Asia Global Crossing 13.375% Senior Notes purchased in the October 12, 2000 Offering or purchased on the open market or otherwise acquired and traceable to this offering between October 12, 2000 and November 17, 2002 shall be multiplied by One Hundred and Ten Percent (110%)

(vii) Each Asia Global Crossing Securities Authorized Claimant's total "Recognized Claim" from Purchases of Asia Global Crossing 13.375% Senior Notes shall be reduced by the amount such claimant received in the Asia Global Crossing Bankruptcy as reported in Section BD of the Proof of Claim Form relating to such senior notes; and

<sup>17</sup> October 12, 2000 is the date Asia Global Crossing 13.375% Senior Notes were issued in a public offering.

(viii) If the total of all "Recognized Claims" from the Purchase of Asia Global Crossing 13.375% Senior Notes reflects that, as a result of all transactions in Asia Global Crossing 13.375% Senior Notes, the claimant made a profit on all such transactions in the aggregate, then the Recognized Claim for Asia Global Crossing 13.375% Senior Notes shall be \$0.

7. An Asia GX-Underwriter PO Authorized Claimant's total "Recognized Claim" shall constitute the sum of such claimant's "Recognized Claim" for each of the classes of securities set forth below:

#### **Other Instructions and Guidelines**

8. For Securities Class Members who held Global Crossing Securities or Asia Global Crossing at the beginning of the Securities Class Period or made multiple purchases or sales during the Securities Class Period, the first-in, first-out ("FIFO") method will be applied to such holdings, purchases and sales for purposes of calculating a claim. Under the FIFO method, for each class of security, each sale of a Global Crossing Security or Asia Global Crossing Security during the Securities Class Period will be matched, in chronological order, first against the Global Crossing Securities or Asia Global Crossing Securities held at the beginning of the Class Period in such class of security. Such holdings and sales will be excluded from the calculation of the loss. For each class of security, the remaining sales of a Global Crossing Security or Asia Global Crossing Security during the Securities Class Period will then be matched, in chronological order, against purchases of such Global Crossing Securities or Asia Global Crossing Securities during the Securities Class Period. A purchase or sale of Global Crossing Securities or Asia Global Crossing Securities shall be deemed to have occurred on the "contract" or "trade" date as opposed to the "settlement" or "payment" date. The receipt or grant by gift, devise or operation of law of Global Crossing Securities or Asia Global Crossing Securities during the Securities Class Period shall not be deemed a purchase or sale of Global Crossing Securities or Asia Global Crossing Securities for the calculation of a Securities Authorized Claimant's Recognized Claim nor shall it be deemed an assignment of any claim relating to the purchase of such shares or notes unless specifically provided in the instrument of gift or assignment.

9. (a) Each GX-Underwriter Authorized Claimant shall be allocated a *pro rata* share of 92.0% of the GX-Underwriter Net Settlement Fund based on his, her or its Recognized Claim compared to the Total Recognized Claims of all GX Underwriter Authorized Claimants.

(b) Each Asia GX-Underwriter Authorized Claimant shall be allocated a *pro rata* share of 8.0% of the GX-Underwriter Net Settlement Fund based on his, her or its Recognized Claim compared to the Total Recognized Claims of all Asia GX Underwriter Authorized Claimants.

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

11. Bank drafts will be distributed to Authorized Claimants after the Effective Date of the Settlement(s) and after all claims have been processed. If any funds remain in the GX-Underwriter Net Settlement Fund by reason of uncashed bank drafts or otherwise, then, after the Claims Administrator has made reasonable and diligent efforts to have Securities Class Members who are entitled to participate in the distribution of the GX-Underwriter Net Settlement Fund cash their bank drafts, any balance remaining in the GX-Underwriter 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 GX-Underwriter Net Settlement Fund for such re-distribution, to Securities Class Members who have cashed their bank drafts 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 GX-Underwriter Net Settlement Fund, then such balance shall be contributed to non-sectarian, not-for-profit, 501(c)(3) organization(s) designated by Plaintiffs' Lead Counsel.

12. No distributions shall be made to any claimant who would receive \$10.00 or less based on the initial allocation of the GX-Underwriter Net Settlement Fund.

13. The Court has reserved jurisdiction to allow, disallow, or adjust the claim of any Securities Class Member on equitable grounds.

**THIS PAGE INTENTIONALLY LEFT BLANK**

**THIS PAGE INTENTIONALLY LEFT BLANK**