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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JERRY MICHAEL CRAFTON,  
Individually and on Behalf of All  
Others Similarly Situated,

Plaintiff,

v.

POWERWAVE  
TECHNOLOGIES, INC.,  
BRUCE C. EDWARDS,  
RONALD J. BUSCHUR and  
KEVIN T. MICHAELS,

Defendants.

CASE NO. SACV-07-0065-PSG (MLGx)

CLASS ACTION

**[PROPOSED] FINAL JUDGMENT AND  
ORDER OF DISMISSAL WITH  
PREJUDICE**

1 This matter came before the Court for hearing pursuant to the Order of this  
2 Court dated June 22, 2009 (the "Preliminary Approval Order") on the application  
3 of the Settling Parties for approval of the Settlement set forth in the Stipulation and  
4 Agreement of Settlement dated as of May 14, 2009 (the "Stipulation"), and  
5 following a hearing on October 19, 2009 before this Court to consider the  
6 applications of the Settling Parties, the Court having considered all papers filed and  
7 proceedings held herein and otherwise being fully informed and good cause  
8 appearing therefore:

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that:

10 1. This Judgment incorporates by reference the definitions of the  
11 Stipulation and unless otherwise indicated, all terms used herein shall have the  
12 same meanings as those terms have in the Stipulation.

13 2. This Court finds that due and adequate notice was given of the  
14 Settlement, the Plan of Allocation of the Settlement Fund, Plaintiffs' request for  
15 attorneys' fees and reimbursement of expenses, Plaintiffs' request for an award to  
16 reimburse the Lead Plaintiff for his time and expenses as directed by this Court's  
17 Preliminary Approval Order and that the forms and methods of providing such  
18 notice to Settlement Class Members constituted the best notice practicable under  
19 the circumstances, including individual notice to all Members of the Settlement  
20 Class who could not be identified through reasonable effort, and satisfied all of the  
21 requirements of Federal Rule of Civil Procedure 23, due process and all other  
22 applicable laws.

23 3. This Court has jurisdiction over the subject matter of the litigation and  
24 over all parties to the litigation, including all Settlement Class Members.

25 4. Pursuant to Federal Rule of Civil Procedure 23, the Court hereby  
26 certifies only for purposes of effectuating this Settlement, a class consisting of all  
27 persons who purchased or otherwise acquired Powerwave Technologies, Inc.  
28

1 (“Powerwave”) common stock during the period from May 2, 2005 through  
2 November 2, 2006, inclusive (the “Settlement Class Period”) and held shares  
3 purchased during the Settlement Class Period through the close of trading on  
4 November 2, 2006. Excluded from the Settlement Class are the Defendants, any  
5 entity in which Defendants or any excluded person has or had a controlling  
6 ownership interest, the current and former officers and directors of Powerwave,  
7 members of their immediate families, and the legal affiliates, representatives, heirs,  
8 controlling persons, successors and predecessors in interest or assigns of any such  
9 excluded party. The Settlement Class also excludes those persons who timely and  
10 validly requested exclusion from the Settlement Class pursuant to the Notice sent  
11 to Settlement Class Members as provided in this Court’s Preliminary Approval  
12 Order and who are listed in Exhibit A hereto. The Settlement Class includes those  
13 persons who timely provided to the Claims Administrator a written notice stating  
14 his or her desire to retract or withdraw the request for exclusion previously mailed.  
15 With respect to the Settlement Class, the Court finds for purposes of effectuating  
16 this Settlement that:

17 a. The Settlement Class meets all of the requirements of Federal Rule of  
18 Civil Procedure 23(a) because:

19 i. Settlement Class Members are so numerous that joinder of all  
20 members is impracticable;

21 ii. there are questions of law and fact common to the Settlement  
22 Class which predominate over any individual questions;

23 iii. the claims and defenses of the Lead Plaintiff are typical of the  
24 Settlement Class; and

25 iv. the Lead Plaintiff and Plaintiffs’ Co-Lead Counsel have fairly  
26 and adequately represented and protected the interests of all of the Settlement Class  
27 Members.  
28

1           b.     In addition, the Court finds that the litigation satisfies the  
2 requirements of Federal Rule of Civil Procedure 23(b)(3) because a class action is  
3 superior to other available methods for the fair and efficient adjudication of the  
4 controversy, considering: (i) the interests of the Members of the Settlement Class  
5 in individually controlling the prosecution of the separate action; (ii) the extent and  
6 nature of any litigation concerning the controversy already commenced by  
7 Members of the Settlement Class; (iii) the desirability or undesirability of  
8 continuing the litigation of these claims in this particular forum; and (iv) the  
9 difficulties likely to be encountered in the management of this litigation.

10           c.     The Court appoints John Both as the representative of the  
11 Settlement Class, and appoints Plaintiffs' Co-Lead Counsel, Weiss & Lurie and  
12 The Brualdi Law Firm, P.C., as counsel for the Settlement Class.

13           5.     Pursuant to Federal Rule of Civil Procedure 23(e), the Court hereby  
14 approves the Settlement set forth in the Stipulation and finds that said Settlement  
15 is, in all respects, fair, reasonable and adequate to, and is in the best interests of,  
16 the Lead Plaintiff and the Settlement Class Members based on: the Settlement  
17 resulting from arm's-length negotiations between able and experienced counsel  
18 representing the interests of the Lead Plaintiff, the Settlement Class Members and  
19 the Defendants; the amount of the recovery for Settlement Class Members being  
20 within the range of fairness given the strengths and weaknesses of the claims and  
21 defenses thereto; the ability of the Defendants to withstand a greater judgment; the  
22 risks of non-recovery and/or recovery of a lesser amount than is represented  
23 through the settlement by continued litigation through all pre-trial, trial and  
24 appellate proceedings; the recommendation of experienced counsel and the  
25 mediator's involvement; and the absence of any objections to the Settlement from  
26 Settlement Class Members. Accordingly, the Settlement embodied in the  
27 Stipulation is hereby finally approved in all respects and shall be consummated in  
28

1 accordance with its terms and provisions. The Settling Parties are hereby directed  
2 to perform the terms of the Stipulation.

3 6. Upon the Effective Date, the Lead Plaintiff and each of the Settlement  
4 Class Members (except those persons and/or entities identified in Exhibit A  
5 attached hereto who have validly and timely requested exclusion from the  
6 Settlement Class), shall be deemed to have, and by operation of this Judgment,  
7 shall have, fully, finally and forever released, relinquished and discharged all  
8 Released Claims against the Released Parties as provided in the Stipulation, and  
9 the litigation, including all claims contained therein, are hereby dismissed with  
10 prejudice as to the Lead Plaintiff and the other Settlement Class Members. The  
11 parties are to bear their own costs, except as otherwise provided in the Stipulation.

12 7. Pursuant to and in full compliance with Rule 23 of the Federal Rules  
13 of Civil Procedure, this Court hereby finds and concludes that due and adequate  
14 notice was directed to all persons and entities who are Settlement Class Members  
15 advising them of the Plan of Allocation and of their right to object thereto, and a  
16 full and fair opportunity was accorded to all persons and entities who are  
17 Settlement Class Members to be heard with respect to the Plan of Allocation.

18 8. The Court hereby finds and concludes that the formula for the  
19 calculation of the claims of Authorized Claimants which is set forth in the Notice  
20 of Pendency and Proposed Settlement of Class Action (the "Notice") sent to  
21 Settlement Class Members provides a fair and reasonable basis upon which to  
22 allocate the proceeds of the Net Settlement Fund established by the Stipulation  
23 among Settlement Class Members, with due consideration having been given to  
24 administrative convenience and necessity.

25 9. The Court hereby finds and concludes that the Plan of Allocation set  
26 forth in the Notice is in all respects fair and reasonable and the Court hereby  
27 approves the Plan of Allocation.  
28

1           10. Upon the Effective Date, each of the Defendants shall be deemed to  
2 have, and by operation of this Judgment shall have, fully, finally and forever  
3 released, relinquished and discharged Lead Plaintiff, each and all of the Settlement  
4 Class Members and Plaintiffs' Co-Lead Counsel from all claims, including  
5 Unknown Claims, arising out of, relating to or in connection with the institution,  
6 prosecution, assertion, settlement or resolution of the litigation or the released  
7 claims.

8           11. The Court finds that during the course of the litigation, the Settling  
9 Parties and their respective counsel at all times complied with the requirements of  
10 Federal Rule of Civil Procedure 11.

11           12. In the event that the Settlement does not become Final in accordance  
12 with the terms of the Stipulation or the Effective Date does not occur, or in the  
13 event that the Settlement Fund, or any portion thereof, is returned to the  
14 Defendants or their Insurers, then this Judgment shall be rendered null and void to  
15 the extent provided by and in accordance with the Stipulation and shall be vacated  
16 and, in such event, all orders entered and releases delivered in connection herewith  
17 shall be null and void to the extent provided by and in accordance with the  
18 Stipulation.

19           13. Without affecting the finality of this Judgment in any way, this Court  
20 hereby retains continuing jurisdiction over (a) implementation and enforcement of  
21 any award or distribution from the Settlement Fund, including interest thereon, (b)  
22 disposition of the Settlement Fund, (c) hearing and determining applications for  
23 payment and expenses incurred by Plaintiffs' Co-Lead Counsel in connection with  
24 future administration and distribution of the Settlement Fund, (d) payment of taxes  
25 by the Settlement Fund, (e) all parties hereto for the purpose of construing,

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enforcing and administering the Stipulation, and (f) any other matters related to finalizing the Settlement and distribution of the proceeds of the Settlement.

IT IS SO ORDERED.

Dated: 12/19, 2009

  
HONORABLE PHILIP S. GUTIERREZ  
UNITED STATES DISTRICT JUDGE

Aug. 31, '09

139 Lyons Road

Claims Administrator Mertztown, PA 19539-9769

Powerwave Technologies Securities Litigation

Dear Madam, or Sir:

If the Court approves the settlement, the payments to me would probably be too small to matter.

Therefore, I opt out of the Class Action.

Thank you for your attention to this matter,

Yours truly,

Eleanor J. Draibalbis



620 Pleasure Drive  
Rivershead, N.Y. 11901  
September 1, 2009

To: Lowerwave Technologies Securities Litigation - Exclusion  
c/o Berdon Claims Administration LLC.

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P.O. Box 9014  
Jericho, N.Y. 11753-8914

FROM: Angela & Frederick Schuster  
620 Pleasure Drive  
Rivershead N.Y. 11901.  
Phone 631-727-8392

RE: We are former owners of 100 shares of Lowerwave  
Common Stock and want to be excluded from <sup>(PWA)</sup>  
any and all Settlement Class action.

STOCK PURCHASED: 3/6/06.

\* PRICE: \$15.01 (100 shares)  
during Settlement Class

STOCK SOLD: 12/7/06.

PRICE: \$6.33 (100 shares)  
after Settlement Period

[Stocks held through - from 3/6/06 - 11/2/06 &  
beyond through Settlement Class  
Period.]

Sincerely Yours,  
Angela M. Schuster  
Frederick J. Schuster

Sept. 14, 2009

Powerware Tech. Securities Litigation — EXCLUSION  
c/o Berdon Claims Administration LLC  
P. O. Box 9014  
Jericho, NY 11753-8914

Gentlemen,

I wish to be excluded from Crafton v. Powerware  
Technologies, Inc., et al., Case No. S.A.D.V. 07-0065-PSG (MLGX).

Thank you for your attention to my request.

On 2/22/06 I purchased 200 shares of Powerware @ 15.57605/sh.

Total Cost: \$ 3115.21

on 8/07/06 I purchased 300 shares of Powerware @ 7.21077/sh.

Total Cost: \$ 2,163.23

Name: MARY A. LEGRAND

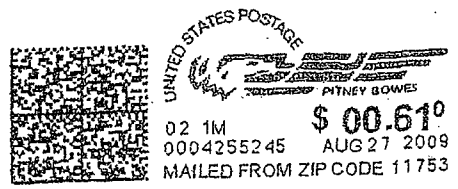
Address: 22182 DUENDE, Mission Viejo, CA 92691

Phone: 949-768-8498

again, thank you for your assistance in this matter.

Mary A. Legrand

Powerwave Technologies Securities Litigation  
c/o Berdon Claims Administration LLC  
P.O. Box 9014  
Jericho, NY 11753-8914

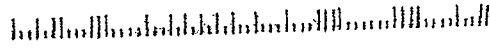


**IMPORTANT LEGAL INFORMATION**

*September 4, 2009*  
*I wish to be excluded from this Class Action Case.*  
*Carolyn D. Ziglar*

5407 FIRST CLEARING  
CAROLYN D ZIGLAR  
WBNA CUSTODIAN TRAD IRA  
8010 MCGEE ROAD  
RURAL HALL NC 27045-9710

**POWERWAVE**



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JERRY MICHAEL CRAFTON, Individually  
and on Behalf of All Others Similarly  
Situating

Plaintiff,

v.

POWERWAVE TECHNOLOGIES, INC.,  
BRUCE C. EDWARDS, RONALD J.  
BUSCHUR and KEVIN T. MICHAELS,

Defendants.

CASE NO. SACV-07-0065-PSG (MLGx)

CLASS ACTION

*I wish to be excluded from  
this Class Action case.*

*Carolyn D Ziglar*  
*Carolyn D. Ziglar*

**NOTICE OF PENDENCY AND PROPOSED SETTLEMENT OF CLASS ACTION**

MY NAME IS Jimmy FILIPE  
AND WOULD LIKE TO BE  
EXCLUDED FROM THIS  
CLASS ACTION SUIT.

SEP. 24. 2009

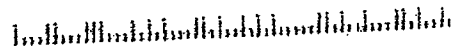
*J. Filipe*

Jimmy FILIPE  
293 TRAGINA AVE N.  
HAMILTON, ONT L8H 5C9

000025 10:41 LSE 54

PowerWave Technologies Securities Litigation  
c/o Bardon Claims Administration LLC  
P.O. Box 9014  
Jericho, <sup>NY</sup> 11753-8914  
USA

117538914 8050



## Motions

8:07-cv-00065-PSG-MLG Crafton v. Powerwave Technologies Inc et al  
(MLGx), CONSOLTR, DISCOVERY, MANADR, STAYED

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**

### Notice of Electronic Filing

The following transaction was entered by Lurie, Jordan on 10/13/2009 at 4:24 PM PDT and filed on 10/13/2009

**Case Name:** Crafton v. Powerwave Technologies Inc et al  
**Case Number:** 8:07-cv-65  
**Filer:** John Both  
**Document Number:** 150

#### Docket Text:

**NOTICE OF MOTION AND MOTION for Settlement Approval of Final Approval of Class Action Settlement filed by Plaintiff John Both. Motion set for hearing on 10/19/2009 at 02:30 PM before Judge Philip S. Gutierrez. (Attachments: # (1) Proposed Order)(Lurie, Jordan)**

**8:07-cv-65 Notice has been electronically mailed to:**

Abby Claire Schwartz aschwartz@omm.com

Amy J Longo alongo@omm.com

Darren J Robbins e\_file\_sd@csgrr.com

Evan Jason Smith esmith@brodsky-smith.com

Jordan L Lurie jlurie@weisslurie.com, infoca@weisslurie.com

Kim Elaine Miller kim.miller@ksfcounsel.com

Leigh A Parker lparker@weisslurie.com

Lewis Kahn lewis.kahn@kgsounsel.com

Lionel Z Glancy lglancy@glancylaw.com

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Michael M Goldberg mmgoldberg@glancylaw.com, dmacdiarmid@glancylaw.com,  
info@glancylaw.com, rmaniskas@glancylaw.com, rprongay@glancylaw.com

Ramzi Abadou rabadou@btkmc.com

Richard B Brualdi rbrualdi@brualdilawfirm.com

Seth A Aronson saronson@omm.com

Sue Lee slee@brualdilawfirm.com

**8:07-cv-65 Notice has been delivered by First Class U. S. Mail or by fax to :**

Marjory A Gentry  
O'Melveny & Myers LLP  
610 Newport Center Drive, 17th Floor  
Newport Beach, CA 92660-6429

Michael A Swick  
Kahn Gauthier Swick LLC  
12 East 41st Street 12th Floor  
New York, NY 10017

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**C:\fakepath\finalapp.notice.pdf

**Electronic document Stamp:**

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374dc129afb3f70dcb1e50277fe7d89e0bd1b532f24c07c8395618c3c2575]]

**Document description:**Proposed Order

**Original filename:**C:\fakepath\finaljudg.ord.pdf

**Electronic document Stamp:**

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708aa2d0b5e9ecc06d1c6e56a083d79fd73448875a67092cfb8dbeadc55d4]]