

1 Lewis S. Kahn (admitted *pro hac vice*)
 lewis.kahn@ksfcounsel.com
 2 Sarah C. Boone (Bar No. 268813)
 sarah.boone@ksfcounsel.com
 3 KAHN SWICK & FOTI, LLC
 4 206 Covington Street
 Madisonville, LA 70447
 5 Tel: (504) 455-1400
 6 Fax: (504) 455-1498

7 **Lead Counsel for Lead Plaintiffs and the**
 8 **Class**

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 _____)
 13)
 14 In re SHORETEL, INC.)
 SECURITIES LITIGATION)
 15)
 16)
 17)
 18)
 19)
 20 _____)

) **Case No.: C-08-00271-CRB**
)
) CLASS ACTION
)
) **STIPULATION AND ~~PROPOSED~~ ORDER**
) **OF DISMISSAL WITH PREJUDICE OF**
) **LEHMAN BROTHERS INC.**

21
 22
 23
 24
 25
 26
 27
 28

1 IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiffs Loren
2 Swanson and Art Landesman (the "Lead Plaintiffs"), all persons or entities that purchased the
3 common stock of ShoreTel, Inc. ("ShoreTel") pursuant or traceable to ShoreTel's Initial Public
4 Offering Prospectus and Registration Statement, or on the open market from July 3, 2007 through
5 January 29, 2008, inclusive (the "Class" as defined in Paragraph 1.4 the Stipulation of Settlement
6 filed concurrently herewith) and Defendant Lehman Brothers Inc. ("LBI"), by and through James W.
7 Giddens, Trustee (the "Trustee") for the Liquidation of the business of LBI pursuant to the Securities
8 Investor Protection Act (collectively, the "Parties"), through their respective attorneys of record,
9 that, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, any and all claims and causes of
10 action asserted by the Lead Plaintiffs and the Class against LBI in the above captioned class action
11 are dismissed with prejudice and without costs or fees (including attorneys' fees) in favor of any
12 party.

13 IN WITNESS WHEREOF, the parties hereto have caused the Stipulation to be executed by
14 their duly authorized attorneys.

15 DATED: June 4, 2010

By: /s/ Kim E. Miller

16 KIM E. MILLER (178380)
17 KAHN SWICK & FOTI, LLC
18 500 5th Ave, Suite 1810
19 New York, NY 10110
20 Tel: (212) 696-3730
21 Fax: (504) 455-1498
22 Email: kim.miller@ksfcounsel.com

-and-

23 LEWIS S. KAHN (*Pro Hac Vice*)
24 KAHN SWICK & FOTI, LLC
25 206 Covington Street
26 Madisonville, LA 70447
27 Tel: (504) 455-1400
28 Fax: (504) 455-1498
Email: lewis.kahn@ksfcounsel.com

Lead Counsel for Lead Plaintiffs and the Class

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: June 4, 2010

By: /s/ Noah Graf

NOAH GRAFF
HUGHES HUBBARD & REED LLP
350 South Grand Avenue
Los Angeles, CA 90071-3442
Tel: (213) 613-2800
Fax: (213) 613-2950
Email: graff@hugheshubbard.com

**Counsel for James W. Giddens, as Trustee for the
SIPA Liquidation of Lehman Brothers Inc.**

~~[PROPOSED]~~ ORDER

Based upon the above Stipulation of the Parties and for good cause appearing therefor,

IT IS SO ORDERED.

DATED: June 21 , 2010

By: _____

HON. CHARLES R. BREYER
UNITED STATES DISTRICT COURT

