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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

No. C-08-4238 EMC

Plaintiff,

VERDICT

v.

MICHAEL C. PATTISON,

Defendant.

_____ /

Please provide a “yes” or “no” answer for each claim below.

CLAIM 1

Do you find, by the preponderance of the evidence, that Defendant violated Rule 10b-5 of the Exchange Act?

YES _____

NO _____

CLAIM 2

Do you find, by a preponderance of the evidence, that Defendant aided and abetted another person’s violation of Rule 10b-5?

YES _____

NO _____

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CLAIM 3

Do you find, by a preponderance of the evidence, that Defendant aided and abetted a violation of Section 13(a) of the Exchange Act by Embarcadero?

YES _____

NO _____

CLAIM 4

Do you find, by a preponderance of the evidence, that Defendant violated Section 13(b)(5) of the Exchange Act?

YES _____

NO _____

CLAIM 5

Do you find, by a preponderance of the evidence, that Defendant violated Rule 13b2-1 of the Exchange Act?

YES _____

NO _____

Please sign and date below, and return this verdict to the Clerk.

Dated: September ____, 2010

Jury Foreperson