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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

In re INTERMUNE SECURITIES  
LITIGATION.

Master File No. C 03-2954 SI

CLASS ACTION

This Document Relates to:  
All Actions.

Hon. Susan Illston

**MOTION FOR AN ORDER  
AUTHORIZING THE DISBURSEMENT  
OF THE NET SETTLEMENT FUND;  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT THEREOF**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that plaintiff hereby submits this motion to the Honorable  
Susan Illston, United States District Court for the Northern District of California, for an Order:

- (1) Incorporating by reference the definitions set forth in the Stipulation of Settlement regarding the captioned case, dated as of May 6, 2005;
- (2) Approving acceptance of the 201 late claims referenced in Exhibit E to the Affidavit of Thomas R. Glenn, filed concurrently herewith (the "Glenn Affidavit");
- (3) Approving payment to the Claims Administrator, Complete Claims Solutions, LLC, in the amount of \$178,454.81 to be paid from the Net Settlement Fund;

- 1 (4) Authorizing, at the direction of Lead Counsel, Labaton Sucharow & Rudoff, LLP,  
2 distribution of the balance of the Net Settlement Fund (less any necessary  
3 amounts to be withheld for payment of potential tax liabilities and related fees and  
4 expenses) on a *pro rata* basis to the Authorized Claimants identified in Exhibit C  
5 to the Glenn Affidavit; and  
6 (5) Finally and forever barring any person from hereafter asserting any rejected or  
7 subsequently filed claims.

8 This Application is brought pursuant to the Local Rules of this Court, and is based on the  
9 attached memorandum of points and authorities in support thereof, the Declaration of Plaintiff's  
10 attorney Ira A. Schochet filed concurrently herewith, and the exhibits thereto, the Affidavit of  
11 Thomas R. Glenn, Senior Vice President and Chief Operating Officer of the claims administrator  
12 Complete Claims Solutions LLC filed concurrently herewith, and the exhibits thereto, and the  
13 Court's complete files and records in this Action.

14 Dated: November 7, 2006

15 **LABATON SUCHAROW & RUDOFF LLP**

17 */s/ Ira A. Schochet*

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