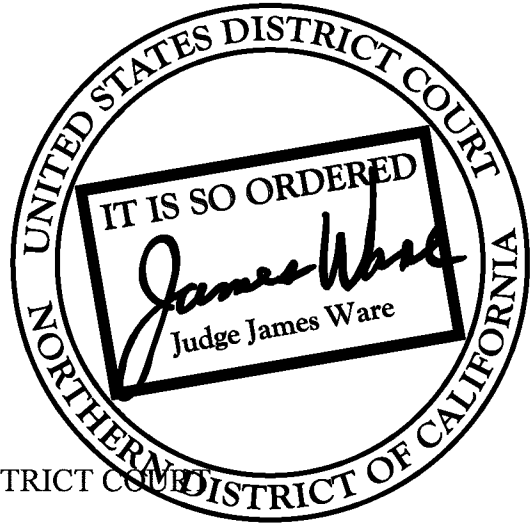


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re UTSTARCOM, INC. SECURITIES)
LITIGATION)
_____)
This Document Relates To:)
ALL ACTIONS.)

Master File No. C-04-4908-JW(PVT)
CLASS ACTION
~~PROPOSED~~ ORDER AWARDING LEAD
COUNSEL'S ATTORNEYS' FEES AND
EXPENSES
DATE: August 30, 2010
TIME: 9:00 a.m.
COURTROOM: The Honorable James Ware

1 This matter having come before the Court on August 30, 2010, on the application of counsel
2 for the Plaintiffs for an award of attorneys' fees and expenses incurred in the captioned action, the
3 Court, having considered all papers filed and proceedings conducted herein, having found the
4 settlement of this action to be fair, reasonable, and adequate and otherwise being fully informed in
5 the premises and good cause appearing therefore;

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

7 1. All of the capitalized terms used herein shall have the same meanings as set forth in
8 the Stipulation of Settlement dated as of January 13, 2010 (the "Stipulation"), and filed with the
9 Court.

10 2. This Court has jurisdiction over the subject matter of this application and all matters
11 relating thereto, including all Members of the Class who have not timely and validly requested
12 exclusion.

13 3. The Court hereby awards Lead Counsel attorneys' fees of 24.5% of the Settlement
14 Fund, plus expenses in the amount of \$700,000.00 together with the interest earned thereon for the
15 same time period and at the same rate as that earned on the Settlement Fund until paid. The Court
16 finds that the amount of fees awarded is appropriate and that the amount of fees awarded is fair and
17 reasonable under the "percentage-of-recovery" method given the substantial risks of non-recovery,
18 the time and effort involved, and the result obtained for the Class. *See Vizcaino v. Microsoft Corp.*,
19 290 F.3d 1043 (9th Cir. 2002).

20 4. The fees shall be allocated among counsel for the Plaintiffs by Lead Counsel in a
21 manner that reflects each such counsel's contribution to the institution, prosecution and resolution of
22 the captioned action.

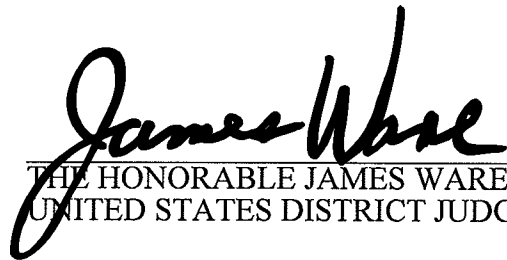
23 5. The awarded attorneys' fees and expenses and interest earned thereon shall
24 immediately be paid to Lead Counsel subject to the terms, conditions and obligations of the
25 Stipulation, and in particular ¶6.4 thereof which terms, conditions and obligations are incorporated
26 herein.

27 6. Pursuant to 15 U.S.C. §78u-4(a)(4), the Court awards the following amounts to the
28 Plaintiffs for their time and expenses in representing the Class: Locals 302 and 612 of the

1 International Union of Operating Engineers-Employers Construction Industry Retirement Trust
2 (\$9,677.00); Erwin L. DeBruycker (\$26,475.99); and Robert Lee Weese (\$5,087.50).

3 IT IS SO ORDERED.

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5 DATED: August 31, 2010


THE HONORABLE JAMES WARE
UNITED STATES DISTRICT JUDGE

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