



February 25, 2009 07:33 PM Eastern Time 

Keller Rohrback L.L.P. and Futterman Howard Watkins Wylie & Ashley, CHTD. Announce Summary Notice of Proposed Class Action Settlement and Settlement Hearing

CHICAGO--([BUSINESS WIRE](#))--The following statement is being issued by Keller Rohrback L.L.P. and Futterman Howard Watkins Wylie & Ashley, CHTD. pursuant to an order of the United States District Court for the District of Connecticut:

UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

IN RE XEROX CORPORATION
ERISA
LITIGATION

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Master File No. 02-CV-1138
(AWT)
CLASS ACTION
February 25, 2009

This Document Relates To:
All Actions

TO ALL MEMBERS OF THE FOLLOWING CLASS:

All current and former participants and beneficiaries of The Xerox Corporation Savings Plan or The Savings Plan of Xerox Corporation and the Xerographic Division, UNITE HERE (Formerly "The Savings Plan of Xerox Corporation and the Xerographic Division, Union of Needletrades, Industrial and Textile Employees, A.F.L.-C.I.O.-C.L.C.") (collectively, the "401(k) Plans" or the "Plans") for whose individual accounts the Plans purchased and/or held interests in the Xerox Stock Fund at any time during the period May 12, 1997 through and including June 28, 2002, excluding the Individual defendants in the above-captioned litigation (collectively, the "Settlement Class").

**PLEASE READ THIS NOTICE CAREFULLY.
THIS IS A COURT-ORDERED LEGAL NOTICE.
THIS IS NOT A SOLICITATION.**

The United States District Court for the District of Connecticut authorized this Notice.

A proposed Settlement has been preliminarily approved by the federal court presiding over the above-captioned class action lawsuit, which alleges violations of the Employee Retirement Income Security Act of 1974 ("ERISA") in connection with the above-mentioned Plans' holdings of Xerox common stock in Xerox's 401(k) Plans between May 12, 1997 and June 28, 2002 (the "Class Period"). The proposed Settlement provides for a payment of \$51 million, net of expenses described in the Settlement Agreement (which include notice and allocation expenses, Court-approved attorneys' fees and expenses and Plaintiff compensation awards, taxes and other costs related to the Settlement Fund administration) to the Plan accounts of members of the Settlement Class who suffered losses as the result of investment of their Plan accounts in the Xerox Stock Fund. In addition, the Settlement contains provisions relating to the ongoing administration of the Plans and management of their assets.

Under the Settlement, the Settlement Fund, including any accrued interest but net of expenses, will be allocated among Settlement Class members who had portions of their Plan accounts invested in the Xerox Stock Fund option of the Plans in accordance with a Plan of Allocation as approved by the Court.

The Defendants in the lawsuit continue to deny any liability or wrongdoing and do not admit to any wrongdoing in the Settlement. The full provisions of the Settlement are set forth in a Settlement Agreement that is available at www.KellerSettlements.com/XeroxERISA.html. If you qualify, you may receive an allocation of a portion of the Settlement funds. You do not need to send in a claim or take any other action to participate in the Settlement.

THE COURT WILL HOLD A HEARING AT 9:00 A.M. ON APRIL 14, 2009 TO DECIDE WHETHER TO APPROVE THE

SETTLEMENT.

ADDITIONAL INFORMATION CONCERNING THE PROPOSED SETTLEMENT, INCLUDING THE NOTICE OF CLASS ACTION SETTLEMENT WHICH HAS BEEN MAILED TO CLASS MEMBERS (WHICH CONTAINS, AMONG OTHER THINGS, SPECIAL INFORMATION REGARDING THE SETTLEMENT FOR PERSONS WHO WERE PARTICIPANTS IN THE PLANS DURING 1997), THE CLASS ACTION SETTLEMENT AGREEMENT AND OTHER DOCUMENTATION, IS AVAILABLE AT:

WWW.KELLERSETTLEMENTS.COM/XEROXERISA.HTML

IN ADDITION, CO-LEAD COUNSEL FOR THE PLAINTIFFS HAVE ESTABLISHED A TOLL-FREE NUMBER, 866-967-6851, AND EMAIL ADDRESS, XEROXERISASETTLEMENT@KELLERROHRBACK.COM, TO ASSIST IN ANSWERING QUESTIONS REGARDING THE SETTLEMENT. YOU MAY ALSO CONTACT CO-LEAD COUNSEL AT:

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Please direct questions to Co-Lead Counsel, and not to the Court or Xerox.

Contacts

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or
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