

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re ACCURAY INC. SECURITIES LITIGATION) Master File No. 4:09-cv-03362-CW
_____))
This Document Relates To:))
ALL ACTIONS.))
_____))

NOTICE OF PENDENCY AND PROPOSED SETTLEMENT OF CLASS ACTION

IF YOU PURCHASED ACCURAY INC. ("ACCURAY") COMMON STOCK BETWEEN FEBRUARY 7, 2007 AND AUGUST 19, 2008, INCLUSIVE, YOU COULD RECEIVE A PAYMENT FROM A CLASS ACTION SETTLEMENT.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

Securities and Time Period: Accuray common stock (CUSIP No. 004397105) purchased between February 7, 2007 and August 19, 2008, inclusive.

Settlement Fund: \$13,500,000 in cash. Your recovery will depend on the number of shares of Accuray common stock purchased between February 7, 2007 and August 19, 2008, inclusive, and the timing of your purchases and any sales. If claims are submitted for 100% of the eligible shares of Accuray common stock, the estimated average recovery per share of common stock will be approximately \$0.237 before deduction of Court-approved fees and expenses. The actual amount per share you could receive will depend on a number of factors which are explained in the Plan of Allocation contained below.

Settlement Class: The Court has preliminarily certified a Settlement Class of all purchasers of Accuray common stock between February 7, 2007 and August 19, 2008, inclusive, who were allegedly damaged thereby. Excluded from the Settlement Class are Defendants; any entity in which any Defendant has or had a controlling interest or that is a parent or subsidiary or is controlled by any Defendant; Defendants' officers and directors, including any person who was an officer or director during the Settlement Class Period; Defendants' affiliates, legal representatives, heirs, predecessors, successors or assigns; and members of the Individual Defendants' immediate families. Also excluded from the Settlement Class are those Persons who timely and validly request exclusion from the Settlement Class pursuant to this Notice.

Reasons for Settlement: Avoids the costs and risks associated with continued litigation, including the danger of no recovery, and provides a benefit to the Settlement Class now.

If the Case Had Not Settled: The Settlement must be compared to the risk of no recovery after contested motions, trial, and likely appeals. A trial is a risky proposition and Lead Plaintiffs might not have prevailed. The claims in this case involve numerous complex legal and factual issues that would require extensive and costly expert testimony. Among the many key issues about which the two sides do not agree are: (1) whether any of the Defendants violated the securities laws or otherwise engaged in any wrongdoing; (2) whether the facts alleged by the Lead Plaintiffs were material, false, misleading or otherwise actionable under the securities laws; (3) whether the various facts alleged by the Lead Plaintiffs influenced the trading prices of Accuray common stock during the relevant period; (4) the method for determining whether the price of Accuray common stock was artificially inflated during the relevant period; (5) the amount (if any) of such inflation; and (6) the amount of damages (if any) that could be recovered at trial.

Attorneys' Fees and Expenses: Lead Counsel have not received any payment for their work investigating the facts, conducting this litigation, and negotiating the Settlement on behalf of the Lead Plaintiffs and the Settlement Class. Lead Counsel will ask the Court for attorneys' fees of 25% of the Settlement Fund and expenses not to exceed \$325,000 to be paid from the Settlement Fund. If the above amounts are requested and approved by the Court, the average cost per share of common stock will be approximately \$0.065, making the estimated average recovery per share after fees and expenses \$0.172 if claims are submitted for 100% of the eligible shares of Accuray common stock.

Deadlines:

Submit Claim: September 12, 2011
Request Exclusion: August 15, 2011
File Objection: August 15, 2011

Court Hearing on Fairness of Settlement: September 1, 2011, at 2:00 p.m.¹

More Information: www.gilardi.com

Claims Administrator:

Accuray Securities Litigation

Claims Administrator

c/o Gilardi & Co. LLC

P.O. Box 8040

San Rafael, CA 94912-8040

Telephone: 888/293-8829

Lead Counsel:

Rick Nelson

c/o Shareholder Relations

Robbins Geller Rudman

& Dowd LLP

655 West Broadway, Suite 1900

San Diego, CA 92101

Telephone: 619/231-1058

Lead Counsel:

Colin Holmes

Labaton Sucharow LLP

140 Broadway, 34th Floor

New York, NY 10005

Telephone: 888/219-6877

-or-

- Your legal rights are affected whether you act or don't act. Read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM

The only way to receive a payment.

OBJECT

You may write to the Court if you do not like this Settlement.

GO TO A HEARING

You may ask to speak in Court about the fairness of the Settlement.

DO NOTHING

Receive no payment.

EXCLUDE YOURSELF

Receive no payment. This is the only option that allows you to participate in another lawsuit against the Defendants relating to the claims being released in this case.

- These rights and options — **and the deadlines to exercise them** — are explained in this Notice.
- The Court in charge of this case must decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and, if there are any appeals, after appeals are resolved. Please be patient.

BASIC INFORMATION

1. Why Did I Receive This Notice Package?

You or someone in your family may have purchased Accuray common stock between February 7, 2007 and August 19, 2008.

The Court sent you this Notice because you have a right to know about a proposed settlement of a class action lawsuit, and about all of your options, before the Court decides whether to approve the Settlement. If the Court approves the Settlement and after any objections or appeals are resolved, the Claims Administrator appointed by the Court will make the payments that the Settlement allows.

This package explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the United States District Court for the Northern District of California, and the case is known as *In re Accuray Inc. Securities Litigation*, Master File No. 4:09-cv-03362-CW. The individual and the pension fund that sued are called the Lead Plaintiffs, and the company and the individuals they sued, Accuray, Euan S. Thomson, Robert E. McNamara, John R. Adler, Jr., Wade B. Hampton, and Ted Tu, are called the Defendants.

2. What Is This Lawsuit About?

This case was brought as a class action alleging that Defendants made false and misleading statements and omissions between February 7, 2007 and August 19, 2008, inclusive, about Accuray's true financial and operational condition. The case asserts that the Defendants misrepresented and/or failed to disclose that Accuray's backlog of business was materially overstated with deals that did not have a substantially high probability of being booked as revenue, that Accuray misrepresented its contracting process with customers, that Accuray did not collect (or refunded) purportedly non-refundable deposits, and that Accuray recognized revenue upon shipment of international orders, as opposed to upon installation. Lead Plaintiffs assert that Defendants lacked a reasonable basis for the positive statements about Accuray's earnings and prospects, including its fiscal year 2008 revenue forecast, allegedly causing damage to the Settlement Class. Lead Plaintiffs assert that as a result of these matters, the market price of Accuray's common stock was artificially and improperly inflated between February 7, 2007 and August 19, 2008 and that, Settlement Class

¹ The Court may change this date to a later date and/or time without further written notice to you. However, any different date or time will be posted on the Claims Administrator's website: www.gilardi.com. You can also check the Court's calendar on the Court's website: <http://www.cand.uscourts.gov/ceo/cfd.aspx?7131>. If you plan to attend the hearing, please check to make sure the date or time has not changed.

Members overpaid for Accuray common stock purchased during this time period. Defendants have denied and continue to deny that they did anything wrong or that Members of the Settlement Class were damaged. Among other things, Defendants deny that they misrepresented Accuray's financial results and that the revenue projections, statements regarding conversion of backlog to revenue, and statements about the amount of backlog are actionable.

3. Why Is This a Class Action?

In a class action, one or more people called class representatives (in this case the Court-appointed Lead Plaintiffs, Zhengxu He and the City of Brockton Retirement System) sue on behalf of people who have similar claims. Here, all these people are called the Settlement Class or Settlement Class Members. One court resolves the issues for all Settlement Class Members, except for those who timely and validly exclude themselves from the Settlement Class. Judge Claudia Wilken is in charge of this class action.

4. Why Is There a Settlement?

The Court did not decide in favor of the Lead Plaintiffs or Defendants. Instead, both sides agreed to a settlement. That way they avoid the cost and uncertainty of a trial, and eligible Settlement Class Members who submit valid claims will receive compensation. The Lead Plaintiffs and their attorneys think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT

To see if you will receive money from this Settlement, you first have to determine if you are a Settlement Class Member.

5. How Do I Know if I Am Part of the Settlement?

The Settlement Class includes *all purchasers of Accuray common stock during the Settlement Class Period, which is between February 7, 2007 and August 19, 2008, inclusive, who were allegedly damaged thereby.*

6. What Are the Exceptions to Being Included?

You are not a Settlement Class Member if you are a Defendant; or an entity in which any Defendant has or had a controlling interest or that is a parent or subsidiary or is controlled by any Defendant; a Defendant's officers and directors, including any person who was an officer or director during the Settlement Class Period; a Defendant's affiliates, legal representatives, heirs, predecessors, successors or assigns; or a member of an Individual Defendant's immediate family. You are also not a Settlement Class Member if you timely and validly request exclusion from the Settlement Class pursuant to this Notice.

If you sold Accuray common stock during the Settlement Class Period, that alone does not make you a Settlement Class Member. You are a Settlement Class Member only if you purchased Accuray common stock during the Settlement Class Period.

7. I'm Still Not Sure if I Am Included.

If you are still not sure whether you are included, you can ask for free help. You can call Rick Nelson of Robbins Geller Rudman & Dowd LLP at 619/231-1058 or Colin Holmes of Labaton Sucharow LLP at 888/219-6877 for more information. Or you can fill out and return the claim form described in Question 10, to see if you qualify.

THE SETTLEMENT BENEFITS — WHAT YOU GET

8. What Does the Settlement Provide?

Defendants have agreed to pay \$13.5 million in cash. The balance of this fund after payment of Court-approved attorneys' fees and expenses and the costs of claims administration, including the costs of printing and mailing this Notice and the cost of publishing newspaper notice (the "Net Settlement Fund") will be divided among all eligible Settlement Class Members who send in valid claim forms.

9. How Much Will My Payment Be?

Your share of the Net Settlement Fund will depend on the number of valid claim forms that Settlement Class Members send in and the number of shares of Accuray common stock you purchased during the relevant period and when you bought and sold them. As discussed above in answer to Question 2, Lead Plaintiffs contend that, during the Settlement Class Period, Defendants misrepresented and/or failed to disclose certain important facts about Accuray's business and financial condition. Lead Plaintiffs assert that, as a result, the price of Accuray common stock was "artificially inflated" during the Settlement Class Period and Settlement Class Members paid more for Accuray common stock than they would have if the truth was known. The Plan of Allocation described below is based on this damage theory. As noted above in answer to Question 2, Defendants deny all of these contentions.

A claim will be calculated based on the following inflation per share amounts for Settlement Class Period common stock purchases and sales, as well as the statutory PSLRA 90-day look-back amount of \$6.97:

TABLE 1

Inflation Table			
Inflation Period	Inflation Per Share	Inflation Period	Inflation Per Share
2/7/2007 - 8/16/2007	\$9.38	9/19/2007	\$5.23
8/17/2007	\$4.53	9/20/2007	\$4.94
8/20/2007	\$4.83	9/21/2007	\$5.66
8/21/2007	\$4.62	9/24/2007 - 10/26/2007	\$6.06
8/22/2007	\$4.26	10/29/2007	\$7.42
8/23/2007	\$3.88	10/30/2007-11/7/2007	\$7.53
8/24/2007	\$4.26	11/8/2007 - 12/11/2007	\$6.06
8/27/2007	\$4.12	12/12/2007	\$6.03
8/28/2007	\$4.18	12/13/2007	\$5.91
8/29/2007	\$1.48	12/14/2007	\$5.65
8/30/2007	\$4.81	12/17/2007	\$5.40
8/31/2007	\$4.91	12/18/2007 - 12/20/2007	\$6.06
9/4/2007	\$4.30	12/21/2007	\$5.95
9/5/2007	\$4.90	12/24/2007 - 1/25/2008	\$6.06
9/6/2007	\$4.19	1/28/2008	\$6.00
9/7/2007	\$4.63	1/29/2008 - 1/30/2008	\$6.06
9/10/2007	\$4.68	1/31/2008 - 4/29/2008	\$1.02
9/11/2007	\$4.73	4/30/2008 - 8/13/2008	\$0.81
9/12/2007	\$4.63	8/14/2008	\$0.57
9/13/2007	\$4.63	8/15/2008	\$0.29
9/14/2007	\$4.75	8/18/2008	\$0.07
9/17/2007	\$4.76	8/19/2008	\$0.16
9/18/2007	\$4.87		

For shares of Accuray common stock ***purchased on or between February 7, 2007 and August 19, 2008***, the claim per share shall be as follows:

(a) If sold on or between February 7, 2007 and August 19, 2008, the claim per share shall be the lesser of: (i) the inflation per share at the time of purchase, as shown in Table 1, less the inflation per share at the time of sale, as shown in Table 1; or (ii) the difference between the purchase price and the sales price.

(b) If held at the close of trading on August 19, 2008 and sold on or before November 16, 2008, the claim per share shall be the least of: (i) the inflation per share at the time of purchase, as shown in Table 1; (ii) the difference between the purchase price and the sales price; or (iii) the difference between the purchase price per share and the average closing price per share at the date of sale as set forth in Table 2 below.

(c) If held on November 17, 2008, or sold thereafter, the claim per share shall be the lesser of: (i) the inflation per share at the time of purchase, as shown in Table 1; or (ii) the difference between the purchase price per share and \$6.97 (the statutory PSLRA 90-day look-back amount).

TABLE 2

Average Closing Price Table			
Date	Average Closing Price	Date	Average Closing Price
20-Aug-08	\$7.71	10-Oct-08	\$7.84
21-Aug-08	\$7.73	13-Oct-08	\$7.82
22-Aug-08	\$7.84	14-Oct-08	\$7.78
25-Aug-08	\$7.78	15-Oct-08	\$7.73
26-Aug-08	\$7.77	16-Oct-08	\$7.69
27-Aug-08	\$7.82	17-Oct-08	\$7.66
28-Aug-08	\$7.89	20-Oct-08	\$7.64
29-Aug-08	\$7.94	21-Oct-08	\$7.61
2-Sep-08	\$7.95	22-Oct-08	\$7.56
3-Sep-08	\$7.99	23-Oct-08	\$7.51
4-Sep-08	\$8.00	24-Oct-08	\$7.46
5-Sep-08	\$8.01	27-Oct-08	\$7.41
8-Sep-08	\$8.02	28-Oct-08	\$7.36
9-Sep-08	\$8.02	29-Oct-08	\$7.32
10-Sep-08	\$8.00	30-Oct-08	\$7.29
11-Sep-08	\$8.01	31-Oct-08	\$7.27
12-Sep-08	\$7.99	3-Nov-08	\$7.26
15-Sep-08	\$7.97	4-Nov-08	\$7.25
16-Sep-08	\$7.97	5-Nov-08	\$7.24
17-Sep-08	\$7.96	6-Nov-08	\$7.22
18-Sep-08	\$7.98	7-Nov-08	\$7.18
19-Sep-08	\$8.01	10-Nov-08	\$7.15
22-Sep-08	\$8.04	11-Nov-08	\$7.11
23-Sep-08	\$8.05	12-Nov-08	\$7.07
24-Sep-08	\$8.08	13-Nov-08	\$7.04
25-Sep-08	\$8.11	14-Nov-08	\$7.01
26-Sep-08	\$8.14	17-Nov-08	\$6.97
29-Sep-08	\$8.15		
30-Sep-08	\$8.14		
1-Oct-08	\$8.15		
2-Oct-08	\$8.13		
3-Oct-08	\$8.11		
6-Oct-08	\$8.07		
7-Oct-08	\$8.03		
8-Oct-08	\$7.97		
9-Oct-08	\$7.90		

The date of purchase or sale is the “contract” or “trade” date as distinguished from the “settlement” date.

For Settlement Class Members who made multiple purchases or sales during the Settlement Class Period, the first-in, first-out (“FIFO”) method will be applied to such holdings, purchases, and sales for purposes of calculating a claim. Under the FIFO method, sales of common stock during the Settlement Class Period will be matched, in chronological order, against common stock purchased during the Settlement Class Period.

A Settlement Class Member will be eligible to receive a distribution from the Net Settlement Fund only if a Settlement Class Member had a net loss. All gains and losses (as calculated under the above plan) will be combined and thereafter netted against each other. In addition, no distribution will be made unless the amount of the check is at least \$5.00.

HOW YOU OBTAIN A PAYMENT — SUBMITTING A CLAIM FORM

10. How Will I Obtain a Payment?

To qualify for payment, you must be an eligible Settlement Class Member, send in a timely and valid claim form, and properly document your claim as requested in the claim form. A claim form is enclosed with this Notice. Read the instructions carefully, fill

out the form, include all the documents the form asks for, sign it, and mail it in the enclosed envelope postmarked no later than September 12, 2011.

11. When Will I Receive My Payment?

The Court will hold a hearing on September 1, 2011, at 2:00 p.m., to decide whether to approve the Settlement. If Judge Wilken approves the Settlement, there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps several years. Everyone who sends in a claim form will be informed of the determination with respect to their claim. Please be patient.

12. What Am I Giving Up to Receive a Payment or Stay in the Settlement Class?

Unless you timely and validly exclude yourself, you are a Member of the Settlement Class, and that means that you cannot sue, continue to sue, or be part of any other lawsuit against the Defendants about the Released Claims in this case. It also means that all of the Court's orders will apply to you and legally bind you and you will release your claims in this case against the Defendants. The terms of the release are included in the claim form that is enclosed.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a payment from this Settlement, but you want to keep the right to sue or continue to sue the Defendants on your own for the Released Claims in this case, then you must take steps to get out of the Settlement Class. This is called excluding yourself or is sometimes referred to as opting out of the Settlement Class.

13. How Do I Get Out of the Settlement Class?

To exclude yourself from the Settlement Class you must send a letter by mail stating that you want to be excluded from *In re Accuray Inc. Securities Litigation*, Master File No. 4:09-cv-03362-CW. You must include your name, address, telephone number, your signature, and the number of shares of Accuray common stock you purchased between February 7, 2007 and August 19, 2008 and the dates of your purchases and any sales. You must mail your exclusion request postmarked no later than August 15, 2011, to:

Accuray Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 8040
San Rafael, CA 94912-8040

You cannot exclude yourself on the phone or by e-mail. If you ask to be excluded, you are not eligible to receive any settlement payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit.

14. If I Do Not Exclude Myself, Can I Sue the Defendants for the Same Thing Later?

No. Unless you timely and validly exclude yourself, you give up any right to sue the Defendants for the Released Claims in this Settlement. If you have a pending lawsuit against any of the Defendants, speak to your lawyer in that case immediately. Remember, the exclusion deadline is August 15, 2011.

15. If I Exclude Myself, Can I Receive Money from This Settlement?

No. If you exclude yourself, do not send in a claim form. But, you may be able to sue, continue to sue, or be part of a different lawsuit involving the Released Claims against the Defendants.

THE LAWYERS REPRESENTING YOU

16. Do I Have a Lawyer in This Case?

The Court appointed the law firms of Robbins Geller Rudman & Dowd LLP and Labaton Sucharow LLP to represent you and other Settlement Class Members. These lawyers are called Lead Counsel. You will not be directly charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

17. How Will the Lawyers Be Paid?

Lead Counsel will ask the Court for attorneys' fees of 25% of the Settlement Fund and for expenses up to \$325,000, plus interest which were incurred in connection with the litigation. In addition, Lead Plaintiffs may seek reimbursement of \$500 for expenses incurred representing the Settlement Class. Such sums as may be approved by the Court will be paid from the Settlement Fund. Settlement Class Members are not personally liable for any such fees or expenses.

The attorneys' fees and expenses requested will be the only payment to Lead Counsel for their efforts in achieving this Settlement and for their risk in undertaking this representation on a wholly contingent basis. Lead Counsel have committed significant time and expenses in litigating this case for the benefit of the Settlement Class. To date, Lead Counsel have not been paid for their services in conducting this litigation on behalf of the Lead Plaintiffs and the Settlement Class, nor for their substantial

expenses. The fees requested will compensate Lead Counsel for their work in achieving the Settlement Fund. The Court will decide what is a reasonable fee award and may award less than the amount requested by Lead Counsel.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or some part of it.

18. How Do I Tell the Court that I Do Not Like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement if you do not like any part of it, including the Plan of Allocation and the request for attorneys' fees or expenses. You can state the reasons why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter saying that you object to the Settlement in *In re Accuray Inc. Securities Litigation*, Master File No. 4:09-cv-03362-CW. Be sure to include your name, address, telephone number, your signature, the number of shares of Accuray common stock purchased and sold between February 7, 2007 and August 19, 2008, the dates of purchases and any sales, and the reasons you object. Any objection must be mailed or delivered such that it is received by **each** of the following no later than August 15, 2011:

Court:

Clerk of the Court
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
Ronald V. Dellums Federal Building
1301 Clay Street, Suite 400S
Oakland, CA 94612

Counsel for Lead Plaintiffs:

Joy Ann Bull
ROBBINS GELLER RUDMAN & DOWD LLP
655 West Broadway, Suite 1900
San Diego, CA 92101

Counsel for Defendants:

Ignacio E. Salceda
WILSON SONSINI GOODRICH & ROSATI, P.C.
650 Page Mill Road
Palo Alto, CA 94304-1050

19. What's the Difference Between Objecting and Excluding?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object **only if** you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to.

20. When and Where Will the Court Decide Whether to Approve the Settlement?

The Court will hold a fairness hearing at 2:00 p.m., on September 1, 2011, at the Oakland Courthouse, 1301 Clay Street, Oakland, California. At this hearing the Court will consider whether the Settlement is fair, reasonable, and adequate.² The Court may move the date or time of the fairness hearing to a later date and/or time without further written notice to you. If the date or time of the fairness hearing is changed the new date and/or time will be posted at www.gilardi.com. You can also check the Court's calendar on the Court's website: <http://www.cand.uscourts.gov/ceo/cfd.aspx?7131>. If there are objections, the Court will consider them. Judge Wilken will listen to people who have asked to speak at the hearing. The Court will also consider how much to pay to Lead Counsel. The Court may decide these issues at the hearing or take them under consideration. We do not know how long these decisions will take.

21. Do I Have to Come to the Hearing?

No. Lead Counsel will answer any questions Judge Wilken may have. But, you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

² The papers in support of approval of the Settlement, the Plan of Allocation and Lead Plaintiffs' counsel's fee and expense application will be submitted to the Court and posted on www.gilardi.com no later than July 15, 2011.

22. May I Speak at the Hearing?

You may ask the Court for permission to speak at the fairness hearing. To do so, you must send a letter saying that it is your intention to appear in *In re Accuray Inc. Securities Litigation*, Master File No. 4:09-cv-03362-CW. Be sure to include your name, address, telephone number, your signature, and the number of shares of Accuray common stock purchased between February 7, 2007 and August 19, 2008, inclusive. Your notice of intention to appear must be received no later than August 15, 2011, by the Clerk of the Court, Lead Counsel, and Defendants' counsel, at the three addresses listed in Question 18. If you intend to present evidence or witnesses, you must disclose that information and explain it in your letter. You cannot speak at the hearing if you exclude yourself from the Settlement Class.

IF YOU DO NOTHING

23. What Happens if I Do Nothing at All?

If you do nothing, you will be a Settlement Class Member. However, you will not receive any money from this Settlement unless you submit a claim form. Unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendants about the Released Claims in this case.

GETTING MORE INFORMATION

24. Are There More Details About the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Stipulation of Settlement, dated as of April 27, 2011. You can obtain a copy of the Stipulation of Settlement by going to www.gilardi.com, or by writing to Rick Nelson, c/o Shareholder Relations, Robbins Geller Rudman & Dowd LLP, 655 West Broadway, Suite 1900, San Diego, CA 92101, or from the Clerk's office at the United States District Court for the Northern District of California, 1301 Clay Street, Oakland, California during regular business hours.

25. How Do I Get More Information?

You can call 619/231-1058 or write to Rick Nelson, c/o Shareholder Relations, Robbins Geller Rudman & Dowd LLP, 655 West Broadway, Suite 1900, San Diego, CA 92101, or call 888/219-6877 or write to Colin Holmes, Labaton Sucharow LLP, 140 Broadway, New York, NY 10005, or visit the following website: www.gilardi.com.

PLEASE DO NOT TELEPHONE THE COURT REGARDING THIS NOTICE

SPECIAL NOTICE TO BANKS, BROKERS, AND OTHER NOMINEES

The Court has ordered that if you hold or held any Accuray common stock purchased between February 7, 2007 and August 19, 2008, inclusive, as nominee for a beneficial owner, then, within ten (10) days after you receive this Notice, you must either: (1) send a copy of this Notice by First-Class Mail to all such Persons; or (2) provide a list of the names and addresses of such Persons to the Claims Administrator:

Accuray Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 8040
San Rafael, CA 94912-8040

If you choose to mail the Notice and Proof of Claim yourself, you may obtain from the Claims Administrator (without cost to you) as many additional copies of these documents as you will need to complete the mailing. If you do not intend to comply with the provisions of this section you are requested to notify the Claims Administrator of that fact at the address above.

Regardless of whether you choose to complete the mailing yourself or elect to have the mailing performed for you, you may obtain reimbursement for, or advancement of, reasonable administrative costs actually incurred or expected to be incurred in connection with forwarding the Notice and which would not have been incurred but for the obligation to forward the Notice, upon submission of appropriate documentation to the Claims Administrator.

DATED: June 10, 2011

BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA