In re: AMKOR TECHNOLOGY INC. SECURITIES LITIGATION

Civil Action No.: 07-CV-278

This Document Relates To: All Actions

Hon. Paul Rosenblatt

# NOTICE OF PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT, MOTION FOR ATTORNEYS' FEES AND EXPENSES AND SETTLEMENT FAIRNESS HEARING

### IF YOU PURCHASED THE COMMON STOCK OF AMKOR TECHNOLOGY, INC. ("AMKOR") FROM JULY 26, 2001 TO JULY 26, 2006, INCLUSIVE (THE "CLASS"), 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:** The common stock of Amkor purchased from July 26, 2001 to July 26, 2006, inclusive (the "Class Period").

Settlement Amount: \$11,250,000 in cash, plus any interest earned on the Settlement Amount (the "Settlement Fund"). Your recovery from the Settlement Fund will depend on the number of shares of Amkor common stock you purchased from July 26, 2001 to July 26, 2006, inclusive, and the timing of your purchases and any sales of such Amkor common stock. Depending on the number of eligible shares of Amkor common stock that participate in the Settlement and when those shares were purchased and sold, the estimated average recovery per share of Amkor common stock will be approximately \$0.053. Please Note: This average is only an estimate, and is before deduction of court-approved fees, costs and expenses.

**The Lawsuit:** The Settlement resolves class action litigation against Amkor, James J. Kim, Kenneth T. Joyce, Winston J. Churchill, Thomas D. George and John N. Boruch (collectively, the "Defendants"). Plaintiffs allege that Defendants improperly backdated certain of the Company's stock option grants and made materially false and misleading statements to the public concerning the Company's financial results and accounting for stock options. Plaintiffs allege that Defendants disseminated a series of materially false and misleading statements relating to Amkor's profitability, growth and customer demand between July 2003 and October 2004. Plaintiffs allege that, as a result of Defendants' material misrepresentations, Amkor's stock price traded at artificially inflated levels throughout the Class Period. See Question 2 below for more information.

Attorneys' Fees and Expenses: Court-approved Co-Lead Counsel have litigated this Action on a contingent basis and have conducted this litigation and advanced the expenses of litigation with the expectation that if they were successful in recovering money for the Class, they would receive fees and be reimbursed for their expenses from the Settlement Fund, as is customary in this type of litigation. Co-Lead Counsel will apply to the court for attorneys' fees not to exceed 25% of the Settlement Amount and reimbursement of out-of-pocket expenses not to exceed \$163,000, plus interest earned on both amounts at the same rate earned on the Settlement Fund, all 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 \$0.014. Please note that this amount is only an estimate.

### Deadlines:

Submit Proof of Claim:	January 8, 2010
Request Exclusion:	October 29, 2009
File Objection:	October 29, 2009
Court Hearing on Fairness of Settlement:	November 18, 2009

### More Information:

#### Claims Administrator:

In re Amkor Technology, Inc. Securities Litigation c/o The Garden City Group, Inc. P. O. Box 9355 Dublin, OH 43017-4255 (800) 260-5032 www.gardencitygroup.com

#### **Co-Lead Counsel:**

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• Your legal rights are affected whether you act or do not act. Please read this Notice carefully.

# **Statement of Recovery**

Plaintiffs estimate that approximately 214,213,474 shares of Amkor common stock were purchased and potentially damaged during the Class Period. Plaintiffs estimate that if all Class Members make a claim against the Settlement Fund, the average payment to Class Members under the Settlement will be \$0.053 per share of Amkor common stock before the deduction of attorneys' fees, costs, and expenses, as approved by the Court. A Class Member's actual recovery will depend on: (1) the number of claims filed; (2) when Class Members purchased their Amkor common stock during the Class Period; (3) whether Class Members either sold their Amkor common stock during the Class Period; (3) whether Class Members either sold their Amkor common stock during the costs of notice, for the Action; and (5) the amount awarded by the Court for attorneys' fees and expenses. Distributions to Class Members will be made based on the Plan of Allocation set forth in this Notice. See Question 9 for the Plan of Allocation.

#### The Circumstances of the Settlement

On September 25, 2007, the United States Court for the District of Arizona (the "District Court") entered an Order granting Defendants' motions to dismiss and dismissing all of Plaintiffs' claims with prejudice. Plaintiffs subsequently appealed the Court's decision on Defendants' motions to dismiss to the United States Court of Appeals for the Ninth Circuit. During the pendency of Plaintiffs' appeal, the Parties began discussing a possible resolution of this Action. The Parties conducted a formal mediation before the Honorable Nicholas H. Politan (Ret.), which resulted in an agreement in principle to settle the Action for \$11,250,000 in cash, subject to certain agreed-upon discovery. Based on Co-Lead Counsel's findings during discovery, Plaintiffs believe that the Settlement is fair, reasonable and adequate, particularly in light of the risks of further litigation. While Plaintiffs believe that Defendants' motions to dismiss could be reversed on appeal by the Ninth Circuit and that their claims could be sustained by the District Court and ultimately result in a verdict for the Class, Plaintiffs recognize that success against the Defendants is not assured. Plaintiffs recognize that the benefits of this Settlement must be compared also to the risk that no recovery would be achieved if the Ninth Circuit denies their appeal. Even if Plaintiffs' appeal was successful, Plaintiffs recognize the risk that no recovery might be achieved after a contested trial and likely appeals, possibly years into the future. Plaintiffs also recognize that the claims advanced by the Class involve numerous complex legal and factual issues, which would require extensive expert testimony and would add considerably to the expenses and duration of the litigation.

Defendants have denied and continue to deny each and all charges of wrongdoing alleged, or that could have been alleged, in this lawsuit. Among other things, the Parties disagree about (i) whether the Plaintiffs or the Class have suffered damages, (ii) whether the price of Amkor common stock was artificially inflated by reason of the alleged misrepresentations, omissions, or otherwise, and (iii) whether the Plaintiffs or the Class were harmed by the conduct alleged in the Second Amended and Consolidated Complaint for Violations of the Federal Securities Laws. Even after an extensive investigation, questions remain regarding the extent of Defendants' liability and the extent to which a jury might find them liable, if at all.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT				
SUBMIT A CLAIM FORM	The only way to receive a payment from the Settlement Fund. You must mail your Claim Form postmarked no later than January 8, 2010.			
EXCLUDE YOURSELF	Receive no payment from the Settlement Fund. This is the only option that allows you to participate in another lawsuit against the Defendants or the Released Parties (as defined below) concerning the Released Claims (as defined below). You must mail your request for exclusion postmarked no later than October 29, 2009.			
OBJECT	You may write to the Court if you do not like this Settlement, the Plan of Allocation, or Co-Lead Counsel's request for attorneys' fees and expenses. The deadline for filing an objection is October 29, 2009.			
GO TO A HEARING	You may ask to speak in Court about the fairness of the Settlement.			
DO NOTHING	Receive no payment from the Settlement Fund and give up your rights with regard to the claims in this lawsuit.			

- These rights and options and the deadlines to exercise them are explained in this Notice. Please note the date of the Settlement Fairness Hearing currently scheduled for November 18, 2009 is subject to change without further notice. If you plan to attend the hearing, you should check the website, <u>www.gardencitygroup.com</u>, or with Co-Lead Counsel as set forth above to be sure that no change to the date and time of the hearing has been made.
- The Court in charge of this Action still must decide whether to approve the Settlement. Payments will be made to Class Members if the Court approves the Settlement and that approval is upheld after any appeals are filed. Please be patient.

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# 1. Why Did I Receive This Notice Package?

You or someone in your family may have purchased the common stock of Amkor from July 26, 2001 to July 26, 2006, inclusive.

If this description applies to you, 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 and Plan of Allocation. If the Court approves the Settlement and Plan of Allocation and after any objections or appeals are resolved, the Claims Administrator appointed by the Court will make the payments that the Settlement allows. Distribution of the Net Settlement Fund (as defined in Question 8 below) shall not be contingent upon the resolution by the Court of any matters relating to attorneys' fees, costs, and disbursements, nor the appeal of any such resolution.

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

### 2. What Is This Lawsuit About?

On and after January 23, 2006, three securities class actions were filed in the United States District Court for the Eastern District of Pennsylvania against Amkor and certain of the Company's present and former officers and directors. These actions were consolidated by Order dated May 23, 2006. By the same Order, the District Court for the Eastern District of Pennsylvania appointed the State-Boston Retirement System, Scott Bishins, Westmoreland County Employees Retirement System and City of Wilkes Barre as Co-Lead Plaintiffs and appointed their choice of counsel, Labaton Sucharow LLP and Barroway Topaz Kessler Meltzer & Check, LLP, as co-lead counsel ("Co-Lead Counsel") for the Class.<sup>1</sup>

On August 14, 2006, Plaintiffs filed the Amended and Consolidated Complaint for Violations of the Federal Securities Laws (the "Complaint"), asserting claims under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, and Rule 10b-5 promulgated thereunder by the United States Securities and Exchange Commission ("SEC"), against Defendants. On November 21, 2006, pursuant to a stipulation which explicitly contemplated the filing of a second amended complaint, Plaintiffs filed the Second Amended and Consolidated Complaint for Violations of the Federal Securities Laws (the "Amended Complaint"), which incorporated allegations concerning the Company's restatement of its financials between 1998 and 2006 and the findings of an internal investigation by Amkor into the Company's historical stock option granting practices.

The Amended Complaint alleged, among other things, that during the Class Period, Defendants improperly backdated certain of the Company's stock option grants and made materially false and misleading statements to the public concerning the Company's financial results and accounting for stock options. Plaintiffs further alleged that, as a direct result of Defendants' improper stock option practices, the financial statements that Amkor filed during the Class Period materially overstated the Company's reported net income and materially understated the Company's reported compensation expense. On October 6, 2006, Amkor restated its previously reported financial results for every fiscal quarter between 1998 and 2006, resulting in a \$106 million downward adjustment to Amkor's aggregate net income due to Defendants' improper stock option practices. Plaintiffs also alleged that Defendants disseminated a series of false and misleading statements concerning Amkor's profitability, growth and customer demand between July 2003 and October 2004. Plaintiffs alleged that these material misrepresentations concealed, among other things, Amkor's weakening customer demand, which rendered without any basis Defendants' statements as to Amkor's then-current financial condition and future earnings guidance. Plaintiffs alleged that, as a result of Defendants' material misrepresentations, Amkor's stock price traded at artificially inflated levels throughout the Class Period.

On December 28, 2006, the District Court for the Eastern District of Pennsylvania entered an Order granting Defendants' motion to transfer venue to the United States District Court for the District of Arizona. On February 7, 2007, this Action was transferred to the District Court of Arizona.

On February 23, 2007, Defendants moved to dismiss the Amended Complaint. Defendants argued that the Amended Complaint failed to meet the heightened pleading requirements of the Private Securities Litigation Reform Act of 1995 (the "Reform Act"). On the stock option claim, Defendants argued that Plaintiffs failed to establish loss causation,

<sup>&</sup>lt;sup>1</sup> At the time Co-Lead Counsel was appointed, Labaton Sucharow LLP was known as Labaton Sucharow & Rudoff LLP and Barroway Topaz Kessler Meltzer & Check, LLP was known as Schiffrin & Barroway, LLP.

because they did not allege corrective disclosures and/or subsequent stock price drops. Defendants also argued that Plaintiffs failed to plead facts with particularity giving rise to a strong inference of scienter, the required state of mind for a securities claim. On the forecasting claim, Defendants argued that Plaintiffs failed to allege that the statements were false when made or made with the requisite intent. In addition, Defendants argued that some of the statements were protected forward-looking statements under the Reform Act, or were non-actionable "puffery."

After further briefing by both sides, the District Court dismissed the Amended Complaint with prejudice on September 25, 2007, and entered judgment in favor of Defendants on October 2, 2007. On October 23, 2007, Plaintiffs timely filed their appeal of the Court's decision on Defendants' motions to dismiss to the United States Court of Appeals for the Ninth Circuit (the "Appellate Court"). Plaintiffs' appeal has been fully briefed.

During the pendency of Plaintiffs' appeal, the Parties began discussing a possible resolution of the Action. These negotiations, which included a formal mediation before the Honorable Nicholas H. Politan (Ret.), resulted in an agreement in principle to settle the Action for \$11,250,000 in cash, subject to certain agreed-upon discovery. Thereafter, the Parties negotiated and executed a Memorandum of Understanding outlining the general terms of their proposed settlement on December 10, 2008. Based on Co-Lead Counsel's findings during discovery, Plaintiffs believe that the Settlement is fair, reasonable and adequate. Thereafter, the Parties negotiated and executed a Stipulation and Agreement of Settlement on May 20, 2009 (the "Stipulation").

# 3. Why Is This Action a Class Action?

In a class action, one or more people called class representatives (in this case the court-appointed Co-Lead Plaintiffs State-Boston Retirement System, Scott Bishins, Westmoreland County Employees Retirement System, City of Wilkes Barre and additional class representatives Albert Hendricks and Glennon Zelch) sue on behalf of individuals and entities who have similar claims. All of these individuals and entities who have similar claims are referred to collectively as a Class, or individually as Class Members. One court resolves the issues for all Class Members, except for those who exclude themselves from the Settlement. The United States District Court for the District of Arizona, the Honorable Paul G. Rosenblatt, is in charge of this class action. The case is known as *In re Amkor Technology, Inc. Securities Litigation*, Civil Action No. 07-CV-278.

### 4. Why Is There a Settlement?

In order to avoid the cost and risks of further litigation, including Plaintiffs' pending appeal to the Ninth Circuit, and trial, the Parties agreed to a settlement. As explained above, Plaintiffs and their attorneys believe the Settlement is best for all 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 Class Member.

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

The Class includes all persons and entities who purchased the common stock of Amkor from July 26, 2001 to July 26, 2006, inclusive, except those persons and entities that are excluded, as described below.

### 6. What Are the Exceptions to Being Included?

Excluded from the Class are: Defendants, the officers and directors of the Company, at all relevant times, members of their immediate families and their legal representatives, heirs, successors or assigns, and any entity in which Defendants and/or any member of their immediate families have or had a controlling interest. Also excluded from the Class are any putative Class Members who exclude themselves by filing a request for exclusion in accordance with the requirements set forth herein.

If you sold shares of Amkor common stock from July 26, 2001 to July 26, 2006, inclusive, that alone does not make you a Class Member. You are a Class Member only if you *purchased* Amkor common stock from July 26, 2001 to July 26, 2006, inclusive.

If one of your mutual funds purchased or owns the common stock of Amkor, that alone does not make you a Class Member.

### 7. I Am 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 the Claims Administrator, The Garden City Group, Inc., at 1-800-260-5032, or visit their website at <u>www.gardencitygroup.com</u>, 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 RECEIVE

### 8. What Does the Settlement Provide?

Defendants have agreed to create an \$11,250,000 cash Settlement Fund. The balance of this fund, after payment of court-approved attorneys' fees and expenses, taxes, and the costs of claims administration, including the costs of printing and mailing this Notice and the cost of publishing notice (the "Net Settlement Fund"), will be divided among all Class Members who submit timely and valid claim forms.

# PLAN OF ALLOCATION OF NET SETTLEMENT FUND AMONG CLASS MEMBERS

### 9. How Much Will My Payment Be?

The proposed Plan of Allocation provides for distribution of the Net Settlement Fund to Authorized Claimants as follows:

Each person or entity claiming to be an Authorized Claimant shall be required to submit a separate Proof of Claim and Release form ("Proof of Claim") signed under penalty of perjury and supported by such documents as specified in the Proof of Claim as are reasonably available to the Authorized Claimant. If you are entitled to a payment, your share of the Net Settlement Fund will depend on the number of valid claim forms that Class Members submit, the amount of Amkor common stock you purchased during the Class Period, and when you bought and sold your Amkor common stock. By following the Plan of Allocation described herein, you can calculate your "Recognized Claim." The Claims Administrator will distribute the Net Settlement Fund according to the Plan of Allocation after the deadline for submission of Proofs of Claim has passed.

All Proofs of Claim must be postmarked by January 8, 2010, addressed as follows:

#### In re Amkor Technology, Inc. Securities Litigation c/o The Garden City Group, Inc. Claims Administrator P.O. Box 9355 Dublin, OH 43017-4255

Unless otherwise ordered by the Court, any Class Member who fails to submit a properly completed and signed Proof of Claim within such period, or such other period as may be ordered by the Court, shall be forever barred from receiving any payments pursuant to the Stipulation, but will in all other respects be bound by the Settlement and by the Final Order and Judgment entered by the Court dismissing this case.

The date of purchase or sale is the "contract" or "trade" date and not the "settlement" date. All profits will be subtracted from all losses to determine the net Recognized Claim of each Class Member. For Class Members who held shares of Amkor common stock at the beginning of the Class Period or made multiple purchases or sales during the Class Period, the first-in, first-out ("FIFO") method will be applied to such holdings, purchases and sales for purposes of calculating a Recognized Claim. Under the FIFO method, sales during the Class Period will be matched, in chronological order, first against your holdings at the beginning of the Class Period and thereafter, in chronological order, against subsequent purchases during the Class Period.

# THE BASIS FOR CALCULATING YOUR RECOGNIZED CLAIM

The Net Settlement Fund will be distributed to Authorized Claimants who submit timely Proofs of Claim under the Plan of Allocation described below.

The Claims Administrator shall determine each Authorized Claimant's *pro rata* share of the Net Settlement Fund based upon each Authorized Claimant's Recognized Claim, as defined below. The Recognized Claim formula is not intended to be an estimate of the amount that a Class Member might have been able to recover after a trial, nor is it an estimate of the amount that will be paid to Authorized Claimants pursuant to the Settlement. The Recognized Claim formula is the basis upon which the Net Settlement Fund will be proportionately allocated to the Authorized Claimants.

Payment in this manner shall be deemed conclusive against all Authorized Claimants. No distribution will be made on a claim where the potential distribution amount is \$10.00 or less in cash.

Recognized Claims are based on the daily per share amounts of artificial inflation present in Amkor's stock price, adjusted for the strength of Plaintiffs' claims as recommended by Co-Lead Counsel, set forth in Table A and shall be calculated as follows:

- I. For shares of Amkor common stock purchased on or after July 26, 2001 through April 26, 2004 and:
  - (a) Sold on or before April 26, 2004, the Recognized Claim per share is \$0. This determination was made because the purchase and the sale occurred before any adverse information was publicly disclosed. Thus, any losses that Class Members may have suffered with respect to shares of Amkor common stock that were purchased from July 26, 2001 through April 26, 2004, that were sold on or before April 26, 2004, were not related to the alleged misstatements or omissions and are not compensable through an action for violation of the securities laws;
  - (b) Sold on or after April 27, 2004 but before the close of business on July 26, 2006, the Recognized Claim per share is the lesser of:
    - a. The purchase price minus the sale price, and
    - b. The Alleged Inflation amount on the date of purchase indicated in Table A minus the Alleged Inflation amount on the date of sale indicated in Table A;
  - (c) Still held as of the close of business on July 26, 2006, the Recognized Claim per share is the lesser of:
    - a. The purchase price minus the statutory 90-day lookback price ("Statutory Price") on July 26, 2006 of \$5.89,<sup>2</sup> and
    - b. The Alleged Inflation amount on the date of purchase indicated in Table A.
- II. For shares of Amkor common stock purchased on or after April 27, 2004 through June 30, 2004 and:
  - (a) Sold on or before June 30, 2004, the Recognized Claim per share is \$0. This determination was made because the purchase and the sale occurred before any adverse information was publicly disclosed. Thus, any losses that Class Members may have suffered with respect to shares of Amkor common stock that were purchased from April 27, 2004 through June 30, 2004, that were sold on or before June 30, 2004, were not related to the alleged misstatements or omissions and are not compensable through an action for violation of the securities laws;
  - (b) Sold on or after July 1, 2004 but before the close of business on July 26, 2006, the Recognized Claim per share is the lesser of:
    - a. The purchase price minus the sale price, and
    - b. The Alleged Inflation amount on the date of purchase indicated in Table A minus the Alleged Inflation amount on the date of sale indicated in Table A;
  - (c) Still held as of the close of business on July 26, 2006, the Recognized Claim per share is the lesser of:
    - a. The purchase price minus the Statutory Price of \$5.89, and
    - b. The Alleged Inflation amount on the date of purchase indicated in Table A.
- III. For shares of Amkor common stock purchased on or after July 1, 2004 through July 27, 2004 and:
  - (a) Sold on or before July 27, 2004, the Recognized Claim per share is \$0. This determination was made because the purchase and the sale occurred before any adverse information was publicly disclosed. Thus, any losses that Class Members may have suffered with respect to shares of Amkor common stock that were purchased from July 1, 2004 through July 27, 2004, that were sold on or before July 27, 2004, were not related to the alleged misstatements or omissions and are not compensable through an action for violation of the securities laws;
  - (b) Sold on or after July 28, 2004 but before the close of business on July 26, 2006, the Recognized Claim per share is the lesser of:

<sup>&</sup>lt;sup>2</sup> This amount, \$5.89, is the mean (average) closing price of Amkor common stock during the 90-day period beginning on July 27, 2006 and ending on October 24, 2006, the 90-day look-back period required by the Reform Act.

- a. The purchase price minus the sale price, and
- b. The Alleged Inflation amount on the date of purchase indicated in Table A minus the Alleged Inflation amount on the date of sale indicated in Table A;
- (c) Still held as of the close of business on July 26, 2006, the Recognized Claim per share is the lesser of:
  - a. The purchase price minus the Statutory Price of \$5.89, and
  - b. The Alleged Inflation amount on the date of purchase indicated in Table A.
- IV. For shares of Amkor common stock purchased on or after July 28, 2004 through July 26, 2006 and:
  - (a) Sold on or before July 26, 2006, the Recognized Claim per share is \$0. This determination was made because the purchase and the sale occurred before any adverse information was publicly disclosed. Thus, any losses that Class Members may have suffered with respect to shares of Amkor common stock that were purchased from July 28, 2004 through July 26, 2006, that were sold on or before July 26, 2006, were not related to the alleged misstatements or omissions and are not compensable through an action for violation of the securities laws;
  - (b) Still held as of the close of business on July 26, 2006, the Recognized Claim per share is the lesser of:
    - a. The purchase price minus the Statutory Price of \$5.89, and
    - b. The Alleged Inflation amount on the date of purchase indicated in Table A.

The Plan of Allocation is a matter separate and apart from the proposed Settlement, and any decision by the Court concerning the Plan of Allocation shall not affect the validity or finality of the proposed Settlement. The Plan of Allocation may be modified in connection with, among other things, a ruling by the Court, or an objection filed by a Class Member, without further notice to the Class.

The Court has reserved jurisdiction to allow, disallow, or adjust the claim of any Class Member on equitable grounds. Each Authorized Claimant is deemed to have submitted to the jurisdiction of the Court with respect to the Authorized Claimant's claim, and the claim will be subject to investigation and discovery under the Federal Rules of Civil Procedure, provided that such investigation and discovery shall be limited to that Authorized Claimant's status as a Class Member and the validity and amount of that Authorized Claimant's claim. No discovery shall be allowed on the merits of the Action.

Payments will be final and conclusive against all Class Members. All Class Members whose claims are not approved by the Court will be barred from participating in distributions from the Net Settlement Fund, but otherwise shall be bound by all of the terms of the Settlement, including the terms of the Final Order and Judgment to be entered in the Action and will be barred from bringing any Released Claim against any Released Parties, including Unknown Claims (as those terms are defined below and in the Proof of Claim enclosed with this Notice and in the Stipulation, which is available on the Internet at www.gardencitygroup.com, or through the mail upon request).

Date Range	Artificial Inflation
7/26/01 - 4/26/04	\$1.50
4/27/04 - 6/30/04	\$1.26
7/1/04 - 7/27/04	\$0.64
7/28/04 - 7/26/06	\$0.59
7/27/06	\$0.00

#### TABLE A

#### HOW YOU RECEIVE A PAYMENT - SUBMITTING A CLAIM FORM

#### 10. How Will I Receive a Payment?

To qualify for payment, you must be an eligible Class Member and you must submit a Proof of Claim. A Proof of Claim is enclosed with this Notice. Please read the instructions carefully, fill out the form, include all the documents the form requests, sign it, and mail it in an envelope postmarked no later than January 8, 2010. Retain a copy of everything you mail, in case the materials are lost or destroyed during shipping.

## 11. When Will I Receive My Payment?

The Court will hold a hearing on November 18, 2009, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals, if any, can be resolved, and resolving them can take time, perhaps several years. In addition, the Claims Administrator must process all of the Proofs of Claim. The processing is complicated and will take many months. Please be patient.

# 12. What Am I Giving Up By Staying in the Class?

Unless you exclude yourself, you are staying in the Class, and that means that you cannot sue, continue to sue, or be part of any other lawsuit against the Defendants or the Released Parties about the Released Claims. 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 Action against the Defendants. The terms of the release are defined below and are included in the Proof of Claim that is enclosed:

"Released Claims" means any and all claims, debts, demands, rights or causes of action or liabilities whatsoever, without regard to the subsequent discovery or existence of such different or additional facts than those currently known by any of the Class Representatives and/or the members of the Class or which could have been determined by them, whether based on federal, state, local, statutory or common law or any other law, rule or regulation, whether fixed or un-matured, whether class or individual in nature, including both known claims and Unknown Claims (as defined in the Stipulation and in the Proof of Claim), (i) that have been asserted in this Action by the Class Representatives and/or the members of the Class against any of the Released Parties, or (ii) that could have been asserted in the Action or in any forum by the Class Representatives and/or the members of the Class against any of the Released Parties, transactions, facts, matters or occurrences, representations or omissions involved, set forth, or referred to, or which could have been referred to, in the Action and which relate to the purchase of Amkor common stock from July 26, 2001 to July 26, 2006, inclusive.

"Released Parties" means Defendants and the current and former officers, directors, partners, members, parents, subsidiaries, affiliates, employees, agents, attorneys, insurers, representatives, heirs, successors in interest and assigns of any Defendant or released Person.

The "Effective Date" will occur when an order entered by the Court approving the settlement becomes final and not subject to appeal.

# 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 or the Released Parties on your own about the same claims being released in this Settlement, then you must take steps to exclude yourself from the Settlement. This is sometimes referred to as "opting out" of the Class.

# 13. How Do I Exclude Myself from the Settlement?

To exclude yourself from the Settlement, you must send a letter by mail stating that you want to be excluded from the Settlement in *In re Amkor Technology, Inc. Securities Litigation*, Civil Action No. 07-CV-278. You must include your name, address, telephone number, your signature, and information concerning your purchase(s) and sale(s) of Amkor common stock during the Class Period, including the number of shares of Amkor common stock and the dates of each purchase and sale of Amkor common stock. You must mail your exclusion request postmarked no later than October 29, 2009 to:

In re Amkor Technology, Inc. Securities Litigation EXCLUSIONS c/o The Garden City Group, Inc. Claims Administrator P.O. Box 9355 Dublin, OH 43017-4255

\* Please keep a copy of everything you send by mail, in case it is lost or destroyed during shipping.

You cannot exclude yourself over the phone or by e-mail. If you ask to be excluded from the Settlement, you are not eligible to receive any payment from the Net Settlement Fund, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit and you will be able to pursue the claims that are being released in this Settlement.

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

No. Unless you exclude yourself, you give up any right to sue the Defendants or the Released Parties for the claims being released by this Settlement. If you have a pending lawsuit relating to the claims being released in this Action against any of the Defendants or the Released Parties, speak to your lawyer in that case immediately. Remember, you must mail your exclusion request postmarked no later than October 29, 2009.

## 15. If I Exclude Myself, Can I Receive a Payment from This Settlement?

No. If you exclude yourself, do not send in a claim form. But, you may sue, continue to sue, or be part of a different lawsuit asserting the claims being released in this Settlement against the Defendants or the Released Parties.

## THE LAWYERS REPRESENTING YOU

## 16. Do I Have a Lawyer in This Case?

The Court appointed the law firms of Labaton Sucharow LLP and Barroway Topaz Kessler Meltzer & Check, LLP to represent you and the other Class Members. These lawyers are called Co-Lead Counsel. You will not be separately 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?

Co-Lead Counsel will apply to the Court for attorneys' fees not to exceed 25% of the Settlement Amount and for reimbursement of their out-of-pocket expenses advanced in connection with the Action up to \$163,000, plus interest on both amounts at the same rate as earned by the Settlement Fund. Such sums as may be approved by the Court will be paid from the Settlement Fund. Class Members are not personally liable for any such fees or expenses.

The attorneys' fees and expenses requested will be the only payment to Co-Lead Counsel for their efforts in achieving this Settlement and for their risk in undertaking this representation on a wholly contingent basis. To date, Co-Lead Counsel have not been paid for their services for conducting this Action on behalf of Plaintiffs and the Class, nor for their substantial out-of-pocket expenses. The fee requested will compensate Co-Lead Counsel for their work in achieving the Settlement Fund and is well within the range of fees awarded to class counsel under similar circumstances in other cases of this type. The Court may, however, award less than this amount.

# **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 Class Member, you can object to the Settlement if you do not like any part of it. To object, you must send a letter saying that you object to the Settlement in *In re Amkor Technology, Inc. Securities Litigation*, Civil Action No. 07-CV-278 and the reasons why you object to the Settlement. Be sure to include your name, address, telephone number and your signature. You must also include information concerning your purchase(s) and sale(s) of Amkor common stock during the Class Period, including the number of shares of Amkor common stock and the dates of each purchase and sale of Amkor common stock. Your objection to the Settlement must be filed with the Court and served on all of the following on or before October 29, 2009:

COURT	CO-LEAD COUNSEL	DEFENDANTS' COUNSEL
Clerk of the Court United States District Court District of Arizona Sandra Day O'Connor U.S. Courthouse	Ira A. Schochet, Esq. LABATON SUCHAROW LLP 140 Broadway New York, NY 10005	Keith Eggleton, Esq. WILSON SONSINI GOODRICH & ROSATI 650 Page Mill Road Palo Alto, CA 94304-1050
401 West Washington St. Phoenix, AZ 85003-2156	David Kessler, Esq. BARROWAY TOPAZ KESSLER MELTZER & CHECK, LLP 280 King of Prussia Road Radnor, PA 19087	Paul S. Gerding, Jr., Esq. KUTAK ROCK LLP 8601 North Scottsdale Road Scottsdale, AZ 85253-2742

# 19. What is the Difference Between Objecting and Excluding?

Objecting is simply telling the Court that you do not like something about the Settlement, the Plan of Allocation, or the application for attorneys' fees and expenses. You can object only if you stay in the Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object because the case no longer affects you.

# THE COURT'S SETTLEMENT FAIRNESS HEARING

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

The Court will hold a fairness hearing at 9:30 a.m., on November 18, 2009, at the United States District Court for the District of Arizona, Sandra Day O'Connor U.S. Courthouse, 401 West Washington Street, Phoenix, AZ 85003-2156, Courtroom 601. At this hearing, the Court will consider whether the Settlement and the Plan of Allocation are fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court will listen to people who have requested in writing on or before October 29, 2009, to speak at the hearing. The Court may also consider Co-Lead Counsel's application for attorneys' fees and reimbursement of expenses.

# 21. Do I Have to Come to the Settlement Fairness Hearing?

No. Co-Lead Counsel will answer any questions Judge Rosenblatt 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 mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not required.

# 22. May I Speak at the Settlement Fairness Hearing?

You may ask the Court for permission to speak at the Settlement Fairness Hearing. To do so, you must send a letter stating your intention to appear in *In re Amkor Technology, Inc. Securities Litigation*, Civil Action No. 07-CV-278. Be sure to include your name, address, telephone number, your signature, and also identify the date(s), price(s) and amount(s) of all purchases of Amkor common stock you made during the Class Period. Your notice of intention to appear must be received on or before October 29, 2009, by the Clerk of the Court, Co-Lead Counsel, and Defendants' Counsel, at the addresses listed in Question 18. You cannot speak at the hearing if you exclude yourself from the Settlement.

### IF YOU DO NOTHING

# 23. What Happens if I Do Nothing at All?

If you do nothing, you will receive no money from this Settlement. But, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendants or the Released Parties about the same claims being released in this Settlement.

### **OBTAINING MORE INFORMATION**

# 24. Are There More Details About the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Stipulation dated May 20, 2009. All terms used in this Notice shall have the same meanings as in the Stipulation. You can obtain a copy of the Stipulation or more information about the Settlement by visiting <u>www.gardencitygroup.com</u> or by writing to one of Co-Lead Counsel listed above in Question 18. You can also obtain a copy of the Stipulation from the Clerk's office at the United States District Court for the District of Arizona, Sandra Day O'Connor U.S. Courthouse, 401 West Washington Street, Phoenix, AZ 85003-2156, during regular business hours.

# DO NOT TELEPHONE THE COURT REGARDING THIS NOTICE

# SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES

If you purchased the common stock of Amkor from July 26, 2001 to July 26, 2006, inclusive, as nominee for a beneficial owner, then, the Court has ordered that within ten (10) calendar days after you receive this Notice, you must either: (1) send a copy of this Notice by first class mail to all such beneficial owners; or (2) provide a list of the names and addresses of such beneficial owners to the Claims Administrator:

### In re Amkor Technology, Inc. Securities Litigation c/o The Garden City Group, Inc. Claims Administrator P.O. Box 9355 Dublin, OH 43017-4255

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.

Regardless of whether you choose to complete the mailing yourself or elect to have the mailing performed for you, you may obtain reimbursement for reasonable administrative costs actually 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: September 10, 2009

BY ORDER OF THE COURT UNITED STATES DISTRICT COURT DISTRICT OF ARIZONA