

LEGAL NOTICE

**If you purchased a Gateway Notebook Computer in the
CX210X, CX210S, M285E, M285-E SB, M285G, S-7225C,
M7309H, M153XL or DX42X series, you could get benefits
from a class action settlement.**

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

- A nationwide settlement has been reached in a class action settlement about whether certain Gateway Notebook computers had the capacity to be upgraded to 4 GB of RAM as advertised.
- Your legal rights are affected whether you act, or don't act, so please read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

EXCLUDE YOURSELF	This is the only option that allows you to be part of any other lawsuit, or your own lawsuit, against the Defendant, Gateway, Inc., about the legal claims released in this settlement.	Deadline: February 16, 2009
OBJECT	Write to the Court about why you don't like the settlement.	Deadline: February 16, 2009
GO TO A HEARING	Ask to speak in Court about the settlement.	Deadline: February 16, 2009
SUBMIT A CLAIM	Make a claim for relief under the settlement.	Deadline: April 13, 2009
DO NOTHING	Give up rights to be part of any other lawsuit against the Defendant about legal claims released by the settlement.	No Deadline

- These rights and options - **and the deadlines to exercise them** - are explained in this notice.
- **Who's Included?** If you received this notice by e-mail or by mail, you have been identified as someone who may be included in this class action settlement. Class members are people in the United States who purchased one of the Gateway computers identified above. For a more detailed definition of the Class, please see the full Settlement Agreement at www.sfmslaw.com.
- **What's This About?** A lawsuit was brought against Gateway, Inc. claiming that certain Notebook computers were advertised as being capable of being upgraded to 4 giga-bytes ("GB") of random access memory ("RAM"), when they could not be upgraded in this way. Gateway denies these allegations and stands behind its products. A copy of the Complaint filed can be accessed at www.sfmslaw.com.
- **What Benefits Do I Get?** Depending upon which Gateway computer you purchased and other circumstances, you may be able to return the computer and get the full purchase price back (up to \$2,500), you may be able to obtain reimbursement for RAM purchased (up to \$100) or you may

be entitled to receive a free product from Gateway by making a claim. You should read the Settlement Agreement carefully to determine which category of relief you may qualify for.

- **How Do I Get Benefits?** You must complete a Claim Form, which may have been e-mailed or mailed to you with this notice or which can be downloaded at www.sfmslaw.com or which you can obtain by calling (toll-free) 866-540-5505, and mail it to Gateway at the address provided on the Claim Form.
- **What Are My Legal Rights?** If you don't want to be legally bound by the settlement, you must exclude yourself by February 16, 2009. If you want to object to the settlement or speak in court about the settlement, you must submit the paperwork described in the Settlement Agreement by February 16, 2009. If you want to submit a claim to get the benefits of the settlement, you must do so by April 13, 2009. The Court will hold a hearing in this case, known as *Rosenfeld v. Gateway, Inc.*, Civil Action No. 08-03381-SVW (Ctx)(United States District Court for the Central District of California), on March 16, 2009 to consider whether to approve the settlement, and the request by the lawyers representing Class members for attorneys' fees and expenses. You or your own lawyer may ask to appear and speak at the hearing at your own cost, but you don't have to. For detailed information regarding all of the terms of the settlement, where to send any requests for exclusion, objections or requests to appear in Court, the Court's address or any other information, please visit www.sfmslaw.com or contact James E. Miller or Laurie Rubinow of the law firm, Shepherd, Finkelman, Miller & Shah, LLP, who represent the Class, (toll-free) at 866-540-5505, or at jmiller@sfmslaw.com or lrubinow@sfmslaw.com. **Please do not contact the Court with questions regarding this notice.**