

The Hon. Marsha J. Pechman

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BY AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON DEPUTY



07-CV-00800-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH MCGUIRE and DAVID
WILCZYNSKI, on Behalf of Themselves and
All Others Similarly Situated,

Plaintiffs,

vs.

DENDREON CORPORATION, et al.,

Defendants.

Case No. C07-800 MJP

CLASS ACTION

**FINAL JUDGMENT AND ORDER
OF DISMISSAL WITH
PREJUDICE**

*FINAL JUDGMENT AND ORDER OF DISMISSAL WITH
PREJUDICE*

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1 IT IS HEREBY ADJUDGED AND DECREED THAT:

2 1. This Final Judgment incorporates by reference the definitions in the
3 Stipulation of Settlement dated October 25, 2010 ("Agreement" or "Stipulation"), and all
4 terms used herein shall have the same meanings as set forth in the Agreement unless set
5 forth differently herein. The terms of the Agreement are fully incorporated in this Final
6 Judgment as if set forth fully herein.

7 2. The Court has jurisdiction over the subject matter of this Action and all
8 parties to the Action, including all Class Members.

9 3. On May 27, 2010, the Court certified a Class and a Subclass as follows.

10 (a) The "Class" consists of all persons and entities who purchased the
11 common stock of Dendreon Corporation between March 29, 2007 and May 8, 2007, both
12 dates inclusive (excluding the defendants, the officers and directors of Dendreon, members
13 of their immediate families, and the heirs, successors or assigns of any of the foregoing).

14 (b) The "Subclass" consists of all persons and entities who purchased the
15 common stock of Dendreon Corporation on April 2, 2007 (excluding the defendants, the
16 officers and directors of Dendreon, members of their immediate families, and the heirs,
17 successors or assigns of any of the foregoing).

18 4. Pursuant to Federal Rule of Civil Procedure 23(c)(3), all Persons who satisfy
19 the Class definition above are Class Members bound by this Final Judgment.

20 5. The list of Persons excluded from the Class because they timely filed valid
21 Requests for Exclusion ("Opt-Outs") is attached hereto as Exhibit 1. Persons who filed
22 timely, completed Opt-Outs are not bound by this Final Judgment or the terms of the
23 Agreement, and may pursue their own individual remedies against Defendants and the
24 Released Parties. However, such Persons are not entitled to any rights or benefits provided
25 to Class Members by the terms of the Agreement.
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1 6. As set forth in the accompanying Order Approving Class Action Settlement,
2 the Claims Administrator caused to be mailed to all identified Class Members the Notice
3 which is Exhibit A-1 to the Stipulation, and caused to be published a Summary Notice of the
4 proposed Settlement, which is Exhibit A-2 to the Stipulation, and made available to Class
5 Members on the settlement website and upon request the aforementioned Notice.

6 7. For the reasons set forth in the accompanying Order Approving Class Action
7 Settlement, the Settlement of this Action on the terms set forth in the Agreement, along with
8 the Exhibits thereto, proposed by the Parties has been approved by this Court.

9 8. Pursuant to Federal Rule of Civil Procedure 23(c)(3), all Class Members who
10 have not timely and validly filed Opt-Outs are thus Class Members who are bound by this
11 Final Judgment, by the Order Approving Class Action Settlement and by the terms of the
12 Agreement.

13 9. The Released Parties are hereby released and forever discharged from any
14 and all of the Released Claims. The Releasing Parties are hereby forever barred and
15 enjoined from asserting, instituting or prosecuting, directly or indirectly, any Released
16 Claim in any court or other forum against any of the Released Parties. All Class Members
17 are bound by by paragraph 4.4 of the Stipulation (“Covenant Not to Sue”) and are hereby
18 forever barred and enjoined from taking any action in violation of the Covenant Not to Sue.

19 10. None of the provisions of the Settlement, this Final Judgment, nor the fact of
20 the Settlement constitutes any admission by any of the Parties of any liability, wrongdoing
21 or violation of law, damages or lack thereof, or of the validity or invalidity of any claim or
22 defense asserted in the Action. None of the provisions of the Settlement, this Final
23 Judgment, the accompanying Order Approving Class Action Settlement, the fact of the
24 Settlement, the proceedings related to the Settlement, the Settling Parties’ negotiations, nor
25 any documents related thereto may be offered or received in evidence or construed as an
26 admission, concession, presumption or inference against any Party in any proceeding, except
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1 insofar as may be necessary to effectuate or enforce the terms of the Settlement and this
2 Final Judgment.

3 11. The Court hereby dismisses with prejudice the Action and all Released
4 Claims against each and all Released Parties and without costs to any of the Parties as
5 against the others.


6 12. Without affecting the finality of this Final Judgment, the Court reserves and
7 retains continuing jurisdiction over the Settling Parties and the Settlement Fund for the
8 purpose of implementing, administering, and enforcing this Final Judgment and the
9 Agreement, and all matters ancillary thereto.

10 13. The award of attorneys' fees and expenses to Class Counsel and the award of
11 costs and expenses to Class Representatives, including any appeals therefrom, shall not
12 affect the finality of any other portion of this Final Judgment or delay the Effective Date of
13 the Agreement.

14 14. The Court, finding that no reason exists for delay, hereby directs the Clerk to
15 enter this Final Judgment forthwith.

16 IT IS SO ORDERED.

17 Dated: 17th day of February, 2011

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Marsha J. Pechman
United States District Judge

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PREJUDICE*

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EXHIBIT 1

DENDREON-EXCL00001
Received Date: 8/20/2010
Postmark Date: 8/17/2010
SUE E. CLARK
8948 E NORDMAN DRIVE
SYRACUSE, IN 46567

DENDREON-EXCL00002
Received Date: 9/2/2010
Postmark Date: 8/31/2010
RAYMOND D LA CAILLE
6540 E PASEO CABALLO
ANAHEIM, CA 92807

DENDREON-EXCL00003
Received Date: 9/2/2010
Postmark Date: 8/26/2010
JOSEPH DEPASQUA
DONNA DEPASQUA
6 SUGAR MILL LANE
FLAGLER BEACH, FL 32136

DENDREON-EXCL00004
Received Date: 9/2/2010
Postmark Date: 8/26/2010
NOELLE DEPASQUA
6 SUGAR MILL LANE
FLAGLER BEACH, FL 32136

DENDREON-EXCL00005
Received Date: 9/2/2010
Postmark Date: 8/28/2010
ALBERT T BEAVERS
BEAVERS REV INTERVIVOS TRUST
A BEAVERS TTEE U/A DTD. 4/20/1992
424 E FOOTHILL BLVD APT B
MONROVIA, CA 91016

DENDREON-EXCL00006
Received Date: 9/2/2010
Postmark Date: 8/26/2010
DALE M CROUSE
2124 VALLEY VIEW BLVD
EAST WENATCHEE, WA 98802

DENDREON-EXCL00007
Received Date: 9/2/2010
Postmark Date: 8/25/2010
B GAIL BLATE
MICHAEL BLATE (DECEASED)
P.O. BOX 1460
COLUMBUS, NC 28722

DENDREON-EXCL00008
Received Date: 9/3/2010
Postmark Date: 9/2/2010
HARRY GLEASON
4925 MATTOS DR
FREMONT, CA 94536

DENDREON-EXCL00009
Received Date: 8/31/2010
Postmark Date: 9/3/2010
JOHNNY S FERREA
MIRYAM L FERREA
725 FALLING WATER DR
YORK, SC 29745

DENDREON-EXCL00010
Received Date: 9/3/2010
Postmark Date: 8/31/2010
STEPHEN L KANNE
TRUSTEE OF THE KANNE REV TRUST
P.O. BOX 2968
MISSION VIEJO, CA 92690

DENDREON-EXCL00011
Received Date: 9/7/2010
Postmark Date: 9/2/2010
ROBERT L CHELLIN
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6745 W 52ND PLACE
MISSION, KS 66202

DENDREON-EXCL00012
Received Date: 9/7/2010
Postmark Date: 9/2/2010
KRIS FALER
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BURIEN, WA 98166

DENDREON-EXCL00013
Received Date: 9/1/2010
Postmark Date: 9/7/2010
MARLEY L YOUNG
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DENDREON-EXCL00014
Received Date: 9/7/2010
Postmark Date: 9/4/2010
ALAN B HOLLINGSWORTH MD
3200 PINE RIDGE RD
OKLAHOMA, OK 73120

DENDREON-EXCL00015
Received Date: 9/7/2010
Postmark Date: 9/2/2010
JOHN SIH
5755 E RIVER RD APT 3129
TUCSON, AZ 85750

DENDREON-EXCL00016
Received Date: 9/7/2010
Postmark Date: 9/1/2010
FELICE SOLLA
52 WHITECROFT LANE
WATERBURY, CT 06705

DENDREON-EXCL00017
Received Date: 9/9/2010
Postmark Date: 9/7/2010
IKU BOOTHBY
ROBERT L BOOTHBY
TTEE BOOTHBY FAMILY TRUST U/A DTD 4/17/1996
35322 COVER COURT
NEWARK, CA 94560

DENDREON-EXCL00018
Received Date: 9/9/2010
Postmark Date: 9/7/2010
PAUL R PUTNAM
MONA M PUTNAM
PUTNAM FAMILY TRUST
1140 PORTOLA AVE
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DENDREON-EXCL00019
Received Date: 9/9/2010
Postmark Date: 9/7/2010
PAUL R PUTNAM
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1140 PORTOLA AVE
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DENDREON-EXCL00020
Received Date: 9/10/2010
Postmark Date: 9/7/2010
MARLYN O NIEMUTH, JR.
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W252 S4485 MEADOWVIEW DR
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DENDREON-EXCL00021
Received Date: 9/13/2010
Postmark Date: 9/10/2010
CHRISTINE S MOHN
P.O. BOX 1386
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DENDREON-EXCL00022
Received Date: 9/13/2010
Postmark Date: 9/7/2010
HARRY FASSETT JR
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TOWANDA, PA 18848

DENDREON-EXCL00023
Received Date: 9/13/2010
Postmark Date: 9/8/2010
RALPH W JARRELL
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SPRINGFIELD, TN 37172

DENDREON-EXCL00024
Received Date: 9/13/2010
Postmark Date: 9/10/2010
WILLIAM SELDEEN
P.O. BOX 241862
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DENDREON-EXCL00025
Received Date: 9/13/2010
Postmark Date: 9/10/2010
BRIAN FRANKIE
UNI-2 WFC TO SOUTH RUISLIP P.O. BOX 6046
SAN RAMON, CA 94583

DENDREON-EXCL00026
Received Date: 9/13/2010
Postmark Date: 9/10/2010
MIKE DUNN
MIKE DUNN FAMILY TRUST
18 PEGASUS AVE
NORTH BRIGHTON, CHRISTCHURCH NEW ZEALAND

DENDREON-EXCL00027
Received Date: 9/14/2010
Postmark Date: 9/11/2010
THOMAS DIFANZO
1419 E 98ST
BROOKLYN, NY 11236

DENDREON-EXCL00028
Received Date: 9/15/2010
Postmark Date: 9/8/2010
PHILIP L DINAN
5330 NORTHCREST DR
NASHPORT, OH 43830

DENDREON-EXCL00029
Received Date: 9/17/2010
Postmark Date: 9/13/2010
RONALD L. YURAVICH
CAROLYN F YURAVICH
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DENDREON-EXCL00030
Received Date: 9/17/2010
Postmark Date: 9/13/2010
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DENDREON-EXCL00031
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Postmark Date: 9/13/2010
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DENDREON-EXCL00032
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Postmark Date: 9/15/2010
KLAUS STRUBEL
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DENDREON-EXCL00033
Received Date: 9/20/2010
Postmark Date: 9/15/2010
TERESITA C CAHILL
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DENDREON-EXCL00034
Received Date: 9/20/2010
Postmark Date: 9/18/2010
ELKE BERGMAN
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DENDREON-EXCL00035
Received Date: 9/20/2010
Postmark Date: 9/18/2010
SHEBA BERGMAN (BY POWER OF ATTORNEY)
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SATELLITE BEACH, FL 32937

DENDREON-EXCL00036
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Postmark Date: 9/17/2010
EWA STANKIEWICZ
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EWA STANKIEWICZ
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LANCE GARTRELL
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DENDREON-EXCL00039
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DENDREON-EXCL00040
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DENDREON-EXCL00041
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Postmark Date: 9/20/2010
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DENDREON-EXCL00042
Received Date: 9/27/2010
Postmark Date: 9/21/2010
ANDREA ROSAR
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DENDREON-EXCL00043
Received Date: 9/27/2010
Postmark Date: 9/21/2010
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DENDREON-EXCL00044
Received Date: 9/30/2010
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DENDREON-EXCL00045
Received Date: 10/1/2010
Postmark Date: 9/29/2010
SHAWN BEATTIE
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DENDREON-EXCL00046
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Postmark Date: 9/30/2010
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NEW YORK CITY, NY 10024

DENDREON-EXCL00047
Received Date: 10/4/2010
Postmark Date: 10/2/2010
NATHANIEL MARTINEZ
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DENDREON-EXCL00048
Received Date: 10/4/2010
Postmark Date: 9/28/2010
SOHL JEONG
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EDMONTON, ALBERTA CANADA

DENDREON-EXCL00049
Received Date: 10/4/2010
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DENDREON-EXCL00050
Received Date: 10/4/2010
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SUSANNE CARTER BADILLA
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DENDREON-EXCL00051
Received Date: 10/4/2010
Postmark Date: 10/1/2010
DARLENE B STUEHMER
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DENDREON-EXCL00052
Received Date: 10/4/2010
Postmark Date: 10/2/2010
FELICIDAD FERNANDEZ
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DENDREON-EXCL00053
Received Date: 10/4/2010
Postmark Date: 10/1/2010
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DENDREON-EXCL00054
Received Date: 10/4/2010
Postmark Date: 10/1/2010
ALBERTO LLUCH PEREZ
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AVDA FRANCESC MACIA 60 13 3 CP:08208
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DENDREON-EXCL00055
Received Date: 10/4/2010
Postmark Date: 10/1/2010
JOHANNE GAULIN
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DENDREON-EXCL00056
Received Date: 10/7/2010
Postmark Date: 10/4/2010
LARRY DOYLE WALKER
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DENDREON-EXCL00057
Received Date: 10/8/2010
Postmark Date: 10/5/2010
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DENDREON-EXCL00058
Received Date: 10/8/2010
Postmark Date: 10/5/2010
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DENDREON-EXCL00059
Received Date: 10/8/2010
Postmark Date: 10/5/2010
TROY CARPENTER
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DENDREON-EXCL00060
Received Date: 10/12/2010
Postmark Date: 10/5/2010
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DENDREON-EXCL00061

Received Date: 10/13/2010

Postmark Date: 10/5/2010

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