

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION

If you are a United States resident who purchased Skype Credit that, on at least one occasion prior to December 31, 2009, expired after 180 days of inactivity, a proposed class action settlement may affect your rights. PLEASE READ THIS NOTICE CAREFULLY.

- Plaintiffs Holly Barker and Brian Carness have filed lawsuits against defendants Skype Communications, S.a.r.l. ("Skype Communications"), Skype Technologies S.A., Skype, Inc. and eBay Inc., on its own behalf and as successor by merger to Skype Delaware Holdings, Inc. (collectively, the "Defendants") challenging the Skype Credit expiration policy. Plaintiffs allege that Skype User Accounts and Skype Credit constitute "gift certificates" that cannot expire or be subject to inactivity fees under various states' laws and that Defendants unlawfully applied the Skype Credit expiration policy against their Skype Credit balances after 180 days of inactivity in supposed violation of these various states' laws, including applicable "gift certificate," consumer protection and/or unfair and deceptive practices laws.
- Defendants deny that they did anything wrong whatsoever, and contend that plaintiffs' claims are meritless. No court has decided which side is right, and both sides have agreed to resolve the cases and provide relief to the Settlement Class instead of litigation. There is a proposed settlement on behalf of a nationwide class of current and former United States resident purchasers of Skype Credit from Skype Communications, which, if approved, will provide that Skype Communications shall discontinue its Skype Credit expiration policy and implement a Reactivation Policy whereby Skype Credit will no longer expire after 180 days of inactivity, but rather be deemed "inactive" and subject to reactivation. In addition, Skype Communications, on behalf of itself and the other Defendants, has agreed to pay a Settlement Amount of \$1,850,000 in full and complete settlement of the Released Claims, which shall include: (i) attorneys' fees and costs and named plaintiffs' incentive awards not to exceed \$1,000 each, which collectively shall not exceed 25% of the Settlement Amount subject to Court approval; and (ii) availability, on a claims made basis, of an electronic voucher for \$4.00 of Skype Credit per claimant from the Net Settlement Amount.
- If you are a member of the Settlement Class, your legal rights are affected and you have a choice to make right now:

	YOUR LEGAL RIGHTS AND OPTIONS
SUBMIT CLAIM FOR VOUCHER	Participate in settlement and receive voucher for \$4.00 of Skype Credit. Go to the Administrative Site at www.creditexpirationclassaction.com and complete an Internet claim form.
OBJECT TO SETTLEMENT	Object to the settlement or any of its terms, and ask the District Court not to approve the settlement. Appear at a Final Fairness Hearing on March 12, 2010. To object to the settlement, to plaintiffs' counsels' request for attorneys' fees and costs or to plaintiffs' request for incentive awards, you must file with the District Court (700 Stewart St., Seattle, WA 98101), by no later than February 16, 2010, written objections setting forth: (i) your name, address and telephone number; (ii) your Skype ID or User Name(s); (iii) a sentence confirming, under penalty of perjury, that you are a person in the Settlement Class; (iv) the factual basis and legal grounds for your objection; (v) the identity of witnesses you intend to call to testify; and (vi) copies of exhibits you intend to offer into evidence at the Final Fairness Hearing. Copies of all objections also must be mailed to each of the following, postmarked by the last day to file the objection: Plaintiffs' Counsel: Roger Townsend, Esq., Breskin, Johnson & Townsend, PLLC, 1111 Third Avenue, Suite 2230, Seattle, Washington 98101; and counsel for Defendants: Julia B. Strickland, Esq., Stroock & Stroock & Lavan LLP, 2029 Century Park East, Los Angeles, CA 90067.
ASK TO BE EXCLUDED	Get out of this action. Get no benefits from the settlement. Keep your rights to sue. If you ask to be excluded or "opt out," you will not share in the settlement benefits and you will not be permitted to object to the terms of the proposed settlement. But, you will keep any rights you have to sue Defendants separately for the same legal claims asserted in the actions. To be excluded, you must mail a written "opt out" request to the Settlement Administrator at P.O. Box 2277, Faribault, MN 55021-2400, with a postmark of no later than February 16, 2010, setting forth the following: (i) your name, address, telephone number; (ii) your Skype ID or User Name(s); (iii) a sentence confirming, under penalty of perjury, that you are a person in the Settlement Class; and (iv) the following statement: "I request to be excluded from the class settlement in <u>Barker v. Skype, Inc., et al</u> , United States District Court for the Western District of Washington, Case No. 2:09-cv-01364-RSM."

This is a Summary Notice. For further information about the proposed Settlement, including copies of the Stipulation and Agreement of Settlement and other court documents, visit www.creditexpirationclassaction.com or contact Plaintiffs' Counsel. DO NOT CONTACT DEFENDANTS, DEFENDANTS' COUNSEL OR THE DISTRICT COURT.

PLEASE DO NOT REPLY TO THIS MESSAGE.