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NASDAQ Suspends Minimum Bid and Minimum Value of Public Float Rules

Effective October 16, 2008, NASDAQ announced that it has suspended through January 16, 2009, the application of its continuing requirements for listing on the NASDAQ Stock Market related to the bid price and market value of publicly held shares of NASDAQ-listed companies. Under the minimum-bid price rules, NASDAQ-listed companies are subject to delisting for failing to maintain at least a \$1 closing bid price for 30 consecutive business days, and under the minimum value of public float rules, NASDAQ-listed companies are subject to delisting for failing to meet requirements for the minimum market value of publicly held shares for 30 consecutive business days.

In suspending these rules, NASDAQ cited the recent unprecedented market turmoil, along with the fact that the number of NASDAQ-listed companies trading below \$1 per share increased from 64 as of September 30, 2008, to 227 on October 9, 2008. NASDAQ believes that these declines in share prices reflect a generalized lack of investor confidence rather than a fundamental change in the underlying business models or prospects for many of these companies. NASDAQ also believes that suspended enforcement of the minimum bid and minimum value of public float rules will allow companies to focus on their businesses and not on current market dynamics. NASDAQ hopes these actions will restore investor confidence by allowing investors to make investment decisions that are not unduly influenced by risks of near-term delisting resulting from non-compliance with the minimum bid and value of public float rules.

Companies that are already in a delisting process for failure to comply with either of these rules will have that process suspended and will receive the benefit of any remaining grace period starting with the reinstatement of the rules, currently scheduled for January 19, 2009. Future failures to satisfy the minimum-bid price or market value of publicly held shares rules will be determined using data starting on January 19, 2009. Companies that are in a delisting process or subject to delisting for failure to comply with other listing requirements will continue to be subject to delisting.

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