

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

PROPOSED ACTION

B E T W E E N

- 1. GLAXOSMITHKLINE PLC**
- 2. A (as a representative of the First Claimant's shareholders)**
- 3. B (as a representative of the First Claimant's shareholders)**
- 4. C (as a representative of the First Claimant's shareholders)**
- 5. D (as a representative of the First Claimant's shareholders)**

Proposed Claimants

and

PERSON OR PERSONS UNKNOWN

Proposed Defendants

ORDER FOR INJUNCTION

PENAL NOTICE

**IF YOU THE WITHIN IDENTIFIED PROPOSED DEFENDANT DISOBEY THIS
ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND LIABLE TO
IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED**

IMPORTANT:

Notice to the Proposed Defendants ("the Defendants")

- (1) This Order prohibits you from doing the acts set out in this Order. You should read it all carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.

- (2) If you disobey this Order you may be found guilty of Contempt of Court and any of your directors may be sent to prison or fined and you may be fined or your assets may be seized.

The Order

An Application was made on the 9th May 2006 by Counsel for GlaxoSmithKline PLC, A, B, C and D (who are to be the Claimants in an Action against the Defendants) to the Judge without notice to the Defendants. The Judge heard the Application and read the Witness Statements referred to in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order.

IT IS ORDERED that up to and including 23rd May 2006 (“the Return Date”) or further order in the meantime:

The Claimants

- (1) There be permission for this Action to be begun in the name of the First Claimant and by the Second to Fifth Claimants to be known as “A”, “B”, “C” and “D” as representatives pursuant to CPR 19.6 of the First Claimant’s shareholders. The Action is to be known and listed as *(1) GlaxoSmithKline PLC (2) A (3) B (4) C (5) D v Person or Persons Unknown*. The Claimants must on issuing the Claim Form file at court in a sealed envelope the names and addresses of “A”, “B”, “C” and “D”, which envelope must remain sealed and held within the court office subject only to further order of a Judge or Master of the Queen’s Bench Division.

The Defendants

- (2) The Defendants to this Action and Application are the person or persons who were parties to the preparation and dispatch of letters which on or about 1st May 2006 were posted to shareholders of the First Claimant in each instance dated that day on letterhead purporting to be that of A or B or other officer or officers of the First Claimant, an example of which letter was published in part on page 3 of the Financial Times for Tuesday 9th May 2006 and which the Judge considered a copy of in Exhibit A1.

The Injunction

- (3) The Defendants **must not**:
- (a) further write or otherwise communicate in any way whatsoever with any shareholder of the First Claimant threatening that if he, she or it does not sell his, her or its shares in the First Claimant then his, her or its details (including but without limitation personal details as to name, address and contact) will be publicised and/or appear posted on a website against his, her or its wishes or making any other similar or further threat to such effect; and/or
 - (b) carry out their threats made by the said letters to publicise and/or post on a website the said details of the First Claimant’s shareholders or any of them; and/or

- (c) otherwise approach, contact, intimidate or harass howsoever the Claimants or any of them, including any shareholder of the First Claimant.

save that nothing prohibited here prevents the Defendants and/or their legal advisers communicating with the Claimants' solicitors (whose details appear below) for the proper purposes of conducting this Action.

Service

- (4) This Order and Application Notice, the Claim Form and Service Pack, Particulars of Claim and other documents required to be served on the Defendants may be served by the Claimants' solicitors emailing the same to GSKshareholder1860@hotmail.com.

Costs of the Application

- (5) The costs of this Application are reserved.

Variation or discharge of this Order

The Defendants may apply to the Court at any time to vary or discharge this Order but if they wish to do so they must first inform the Claimants' solicitors in writing at least 48 hours beforehand.

Name and address of Claimants' Solicitors

The Claimants' Solicitors are:

Schillings
Royalty House
72-74 Dean Street
London W1D 3TL

Tel: 020 7453 2500

Tel: 077 117 15345 (All Other Times)

Fax: 020 7453 2600

Interpretation of this Order

- (1) In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
- (2) Where there are two or more Defendants then (unless the contrary appears)
- (a) References to "the Defendant" mean both or all of them;
 - (b) An Order requiring "the Defendant" to do or not do anything requires each Defendant to do or not to do it.

The effect of this Order

- (1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- (2) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

Parties other than the Claimants or the Defendants

It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

Schedule 1

Witness Statements

The Judge read the following Witness Statement before making this Order:

- (1) A, 9th May 2006 and Exhibit A1.
- (2) B, 9th May 2006 and Exhibit B1.

Schedule 2

Undertakings given to the Court by the Claimants

- (1) If the Court later finds that this Order has caused loss to the Defendants, and decides that the Defendants should be compensated for that loss, the Claimants will comply with any Order the Court may make.
- (2) As soon as practicable the Claimants will issue and serve on the Defendants a Claim Form claiming appropriate relief together with this Order.
- (3) The Claimants will cause a witness statement to be filed confirming the substance of what was said to the Court by the Claimants' counsel.
- (4) As soon as practicable the Claimants will serve on the Defendants an Application Notice for the Return Date together with a copy of the Witness Statements and any Exhibits containing the evidence relied on by the Claimants provided that the name of the maker and any identifying material relating to any shareholder or other person associated with the First Claimant may be redacted.

Dated the 9th May 2006.

All communications to the Court about this Order should be sent to Room W11 (020 7936 6009), Royal Courts of Justice, Strand, London WC2A 2LL quoting the case number. The office is open between 10 am and 4.30 pm Monday to Friday.

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Tel: 077 117 15345 (All Other Times)
Fax: 020 7453 2600**

Solicitors for the Proposed Claimants