

FORM 4 (continued)

Table II -- Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | | 6. Date Exercisable and Expiration Date (Month/Day/Year) | | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | | 8. Price of Derivative Security (Instr. 5) | 9. Number of derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4) | 10. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 4) | 11. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---|--|--------------------------------------|--|--------------------------------|---|--|-----|--|-----------------|---|----------------------------|--|--|--|--|
| | | | | Code | V | (A) | (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares | | | | |
| 2007 January Restricted Units | \$0.00 (1) | 01/01/2010 | | M | | 16800 | | (1) | (1) | Common Stock | 16800 | \$5.39 | 0 | D | |
| 2004 March Option (Right to Buy) | \$12.01 | | | | | | | (2) | 03/03/2014 | Common Stock | 66666 | | 66666 | D | |
| 2005 February Option (Right to Buy) | \$10.52 | | | | | | | (2) | 02/16/2015 | Common Stock | 60000 | | 60000 | D | |
| 2006 February Option (Right to Buy) | \$7.93 | | | | | | | (2) | 02/22/2016 | Common Stock | 55000 | | 55000 | D | |
| 2007 March Option (Right to Buy) | \$6.60 | | | | | | | (3) | 03/01/2017 | Common Stock | 140000 | | 140000 | D | |
| 2007 March Restricted Units | \$0.00 (1) | | | | | | | (1) | (1) | Common Stock | 20000 | | 20000 | D | |
| 2007 Performance Based Restricted Units (N) | \$0.00 (4) | | | | | | | (4) | (4) | Common Stock | 90000 | | 90000 | D | |
| 2008 March Option (Right to Buy) | \$4.94 | | | | | | | (3) | 03/06/2018 | Common Stock | 450000 | | 450000 | D | |
| 2008 March Restricted Units | \$0.00 (1) | | | | | | | (1) | (1) | Common Stock | 81667 | | 81667 | D | |
| 2009 February Option (Right to Buy) | \$1.14 | | | | | | | (3) | 02/26/2019 | Common Stock | 1700000 | | 1700000 | D | |

Explanation of Responses: See attached footnote page.

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations.
see 18 U.S.C. 1001 and 15 U.S.C. 78ff(a)

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

Stephen L. Newman

01/05/2010

** Signature of Reporting Person

Date

FOOTNOTES

- 1 These restricted units vest ratably on each of the first, second and third anniversaries of the date of grant. Restricted units are settled in shares of the Company's common stock upon vesting.
- 2 These derivative securities (stock options) vested ratably on each of the first, second and third anniversaries of the date of grant.
- 3 These derivative securities (stock options) vest ratably on each of the first, second and third anniversaries of the date of grant.
- 4 On the third anniversary of the date of grant, these restricted units vest conditionally based on the average of the closing price of the company's common stock on the last 40 trading days of 2009 ("Stock Price") as follows: 30,000 restricted units vest if the Stock Price is \$6.75 or less; 60,000 restricted units vest if the Stock Price is \$8.50; and 90,000 restricted units vest if the Stock Price is \$10.25 or greater. Straight-line interpolation will be used to determine the number of restricted units vesting for Stock Prices between the threshold prices stated. Restricted units are settled in shares of the Company's common stock upon vesting.