

**United States Bankruptcy Court
District of Delaware**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): GigaBeam Corporation	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) [REDACTED] 7757	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): 4915 Prospectus Drive Suite H Durham, NC	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code 27713	ZIP Code
County of Residence or of the Principal Place of Business: Durham	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIP Code	ZIP Code

Location of Principal Assets of Business Debtor (if different from street address above):
**520 E. Weddell Drive
Suite #9
Sunnyvale, CA 96089**

Type of Debtor (Form of Organization) (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) 	Nature of Business (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <hr/> Tax-Exempt Entity (Check box, if applicable) <ul style="list-style-type: none"> <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). 	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding <hr/> Nature of Debts (Check one box) <ul style="list-style-type: none"> <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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Filing Fee (Check one box) <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 	Check one box: Chapter 11 Debtors <ul style="list-style-type: none"> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <ul style="list-style-type: none"> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. <hr/> Check all applicable boxes: <ul style="list-style-type: none"> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information

Debtor estimates that funds will be available for distribution to unsecured creditors.

Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	OVER 100,000

Estimated Assets

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

Estimated Liabilities

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): GigaBeam Corporation	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed: - None -		Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: - None -		Case Number:	Date Filed:
District: District of Columbia		Relationship:	Judge:
<p style="text-align: center;">Exhibit A</p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input checked="" type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>		<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><input checked="" type="checkbox"/> _____ Signature of Attorney for Debtor(s) (Date)</p>	
Exhibit C			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.			
Exhibit D			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)			
<input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.			
If this is a joint petition:			
<input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue (Check any applicable box)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			

(Name of landlord that obtained judgment)			

(Address of landlord)			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(f)).			

Voluntary Petition

Name of Debtor(s):
GigaBeam Corporation

(This page must be completed and filed in every case)

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Signature of Attorney*

X _____
Signature of Attorney for Debtor(s)

Mary E. Augustine 4477
Printed Name of Attorney for Debtor(s)

Clardi Clardi & Astin
Firm Name

**919 N. Market Street
Wilmington, DE 19801**

Address

302-658-1100 Fax: 302-658-1300
Telephone Number

9/2/09
Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Authorized Individual

Samuel J. Lawrence
Printed Name of Authorized Individual

Chief Executive Officer
Title of Authorized Individual

9/2/09
Date

**United States Bankruptcy Court
District of Delaware**

In re GigaBeam Corporation
Debtor

Case No. _____
Chapter 11

Exhibit "A" to Voluntary Petition

1. If any of debtor's securities are registered under Section 12 of the Securities Exchange Act of 1934, the SEC file number is 000-50985.
2. The following financial data is the latest available information and refers to debtor's condition on 7/2009.

a. Total assets	\$	<u>3,177,589.00</u>	
b. Total debts (including debts listed in 2.c., below)	\$	<u>9,395,662.00</u>	
c. Debt securities held by more than 500 holders.			Approximate number of holders
secured / /	unsecured / /	subordinated / /	\$
			<u>0.00</u>
			<u>0</u>
secured / /	unsecured / /	subordinated / /	\$
			<u>0.00</u>
			<u>0</u>
secured / /	unsecured / /	subordinated / /	\$
			<u>0.00</u>
			<u>0</u>
secured / /	unsecured / /	subordinated / /	\$
			<u>0.00</u>
			<u>0</u>
d. Number of shares of preferred stock		<u>0</u>	<u>0</u>
e. Number of shares of common stock		<u>7,138,938</u>	<u>0</u>

Comments, if any:

3. Brief description of debtor's business:
GigaBeam Corporation was incorporated under the laws of the State of Delaware on January 5, 2004, and designs, develops, markets, sells, installs and services advanced point-to-point wireless communication solutions for its customers.
4. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:
See Attached Beneficial Holders Table

GigaBeam Corporation
Beneficial Ownership Table

The following table sets forth certain information concerning the beneficial ownership of our common stock as of August 19, 2009, by each person and entity known by us to own beneficially more than 5% of our common stock. We have determined beneficial ownership in accordance with the rules of the SEC. Except as indicated by the footnotes below, we believe, based on the information furnished to us, that the persons and entities named in the table below have sole voting and investment power with respect to all shares of common stock that they beneficially own, subject to applicable community property laws.

Title of Class	Name of Beneficial Owner	Amount and Nature of Beneficial Ownership (1)	Percent of Class (2)
Greater-than-5% stockholders:			
Common Stock	Ameristock Corp., Wainwright Holdings, Inc. and Nicholas Gerber (3)	595,050	13.17%
Common Stock	Harvey Silverman (4)	520,172	10.6%
Common Stock	Portside Growth and Opportunity Fund (5)	1,021,015	7.8%
Common Stock	Gruber and McBaine Capital Management, LLC (6)	415,683	5.8%
Common Stock	Jon D. Gruber (6)	480,583	6.7%
Common Stock	J. Patterson McBaine (6)	454,403	6.4%
Common Stock	Eric B. Swergold (6)	415,683	5.8%
Common Stock	Mark W. Hahn (7)	1,416,667	9.7%
Common Stock	Louis S. Slaughter (8)	1,229,286	9.0%
Current Directors and Executive Officers who are also greater-than-5% stockholders:			
Common Stock	S. Jay Lawrence (9)	2,344,167	15.1%
Common Stock	Douglas G. Lockie (10)	1,564,278	11.4%
Common Stock	Don E. Peck (11)	759,670	5.4%

- (1) Represents shares with respect to which each beneficial owner listed has or will have, upon acquisition of such shares upon exercise or conversion of options, warrants, conversion privileges or other rights exercisable within sixty days of August 19, 2009.
- (2) Percentages are calculated on the basis of the amount of outstanding common stock plus, for each person or entity, any securities that such person or entity has the right to acquire within sixty days of August 19, 2009 pursuant to options, warrants, conversion privileges or other rights. On August 19, 2009, we had 13,218,806 shares of common stock outstanding.
- (3) According to a Schedule 13G filed by Ameristock Corporation, Wainwright Holdings, Inc. and Nicholas D. Gerber with the SEC on October 29, 2004, the shares of common stock reported herein as beneficially owned directly by Ameristock Corporation, an investment adviser, for its own account. Because Ameristock Corporation is a wholly-owned subsidiary of Wainwright Holdings, Inc., Wainwright Holdings, Inc. beneficially owns the shares of our common stock that are directly owned by Ameristock Corporation. In addition, because Mr. Gerber is a 42% shareholder of Wainwright Holdings, Inc. (jointly, with his spouse) and may exercise investment power with respect to the shares of our common stock owned by Ameristock Corporation, Mr. Gerber may be deemed to beneficially own the shares of common stock owned by Ameristock Corporation. Mr. Gerber expressly disclaims such beneficial ownership, except to the extent of his indirect pecuniary interest. The address of Ameristock is Post Office Box 6919, Morago,

CA 94570. The address of Wainwright Holdings, Inc. is 103 Foulk Road, Suite 202, Wilmington, DE 19803. The address of Nicholas D. Gerber is post office box 6919, Morago, CA 94570. No subsequent 13G amendments have been filed by this beneficial owner through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class listed should be 4.5% instead of the 13.17% reported by the beneficial owner.

- (4) According to a Schedule 13G filed by Mr. Silverman with the SEC on March 22, 2005, of the 520,172 shares beneficially owned by him: (i) 116,600 shares are owned by Silverman Partners, LP, a limited partnership of which he is general partner; (ii) 189,286 shares are issuable to Silverman Partners, LP, upon exercise of warrants owned by it; (iii) 89,286 shares are issuable to Silverman Partners Class D L.P., a limited partnership of which Mr. Silverman is general partner, upon the exercise of warrants owned by it; (iv) 62,500 shares are issuable upon conversion of a promissory note owned by Silverman Partners, LP and (v) 62,500 shares are issuable upon conversion of a promissory note owned by Silverman Partners Class D L.P. Although no subsequent 13G amendments have been filed by the beneficial owner through August 19, 2009, the promissory notes held by Silverman Partners, LP and Silverman Partners Class D L.P. have been converted to common stock. Additionally, we believe that as of August 19, 2009, the Percentage of Class listed should be 3.9% instead of the 10.6% reported by the beneficial owner.
- (5) According to a Schedule 13G/A filed by Portside Growth and Opportunity Fund, Ramius Enterprise Master Fund, Ramius Advisors LLC, Ramius LLC, C4S & Co., L.L.C., Peter A. Cohen, Morgan B. Stark, Thomas W. Strauss and Jeffrey M. Solomon with the SEC on February 17, 2009, Portside beneficially owns 976,259 shares of common stock. Ramius Enterprise Master Fund owns 44,756 shares of common stock issuable upon the exercise of certain warrants. Ramius Advisors, as the investment advisor of Ramius Enterprise Master Fund, may be deemed to beneficially own the shares held by Ramius Enterprise Master Fund. Ramius LLC, as the investment advisor of Portside and the sole member of Ramius Advisors LLC, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. C4S, as the managing member of Ramius LLC, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Messrs. Cohen, Stark, Strauss and Solomon, as the sole managing members of C4S, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Messrs. Cohen, Stark, Strauss and Solomon, as the sole managing members of C4S, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Each of Ramius Advisors, Ramius LLC, C4S and Messrs. Cohen, Stark, Strauss and Solomon disclaims beneficial ownership of the shares beneficially owned by Portside and Ramius Enterprise Master Fund. For purposes of the information provided in this table, we have included the shares held by Ramius Enterprise Master Fund with the shares held by Portside. No subsequent 13G amendments have been filed by this beneficial owner through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class listed should be 7.7% instead of the 7.8% reported by the beneficial owner.
- (6) According to a Schedule 13G filed by Gruber and McBaine Capital Management, LLC, Jon D. Gruber, J. Patterson McBaine and Eric B. Swergold on February 13, 2009, Gruber and McBaine Capital Management, LLC beneficially owns 415,683 shares of common stock. Jon D. Gruber beneficially owns 480,583 shares of common stock of which he shares voting and dispositive power over 415,683 shares and has sole voting and dispositive power over 64,900 shares. J. Patterson McBaine beneficially owns 454,403 shares of common stock of which he shares voting and dispositive power over 415,683 shares and has sole voting and dispositive power over 38,720 shares. Eric B. Swergold beneficially owns 415,683 shares of common stock of which he shares voting and dispositive power over the shares. Jon D. Gruber and J. Patterson McBaine are the Managers, controlling persons and portfolio managers of Gruber and McBaine Capital Management, LLC. No subsequent 13G amendments have been filed by these beneficial owners through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class for Gruber and McBaine Capital Management listed should be 3.1% instead of the 5.8% reported; that the Percentage of Class for Jon D. Gruber should be 3.6% instead of the 6.7% reported; that the Percentage of Class for J.

Patterson McBaine should be 3.4% instead of the 6.4% reported; and that the Percentage of Class for Eric B. Swergold should be 3.1% instead of the 5.8% reported.

- (7) Mr. Hahn's beneficial ownership is comprised of 1,000,000 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 416,667 shares of common stock that are issuable upon exercise of a fully vested option with an exercise price of \$0.41 per share and an expiration date of January 31, 2018.
- (8) Mr. Slaughter's beneficial ownership is comprised of 949,286 shares of common stock, 150,000 shares of common stock held by Bittersweet Holdings, LLC, 100,000 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$12.03 per share and an expiration date of April 25, 2013, 30,000 shares that are issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011 and 250,000 shares that are issuable upon the exercise of a warrant with an exercise price of \$1.00 per share and an expiration date of April 25, 2011.
- (9) Mr. Lawrence's beneficial ownership is comprised of 1,250,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018, 937,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018, 66,667 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.63 per share and an expiration date of July 9, 2017, 40,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$9.50 per share and an expiration date of March 14, 2016, 10,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, and 40,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017.
- (10) Mr. Lockie's beneficial ownership is comprised of 1,082,078 shares of common stock, 100,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, 375,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 7,200 shares of common stock that are issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011.
- (11) Mr. Peck's beneficial ownership is comprised of 1,270 shares of common stock, 57,200 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$5.05 per share and an expiration date of May 13, 2014, 57,200 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$7.15 per share and an expiration date of May 13, 2015, 34,000 shares of common stock issuable upon the exercise of fully vested options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, 40,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017, 562,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 7,500 shares of common stock issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011.
- (12) Mr. Widmann's beneficial ownership is comprised of 187,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 50,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017.
- (13) Mr. Bentivegna's beneficial ownership is comprised of 145,833 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an expiration price of \$0.36 per share and an expiration date of February 12, 2008.

**United States Bankruptcy Court
District of Delaware**

In re GigaBeam Corporation
Debtor(s)

Case No. _____
Chapter 11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for GigaBeam Corporation in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

**Ameristock Corp., Walnwright Holdings,
Inc. and Nicholas Gerber
P.O. Box 6919
Moraga, CA 94570**

See Attached Beneficial Ownership Table

None [Check if applicable]

Date

9/2/09


Mary E. Augustine 4477

Signature of Attorney or Liant
Counsel for GigaBeam Corporation
**Clardi Clardi & Astin
919 N. Market Street
Wilmington, DE 19801
302-658-1100 Fax:302-658-1300**

GigaBeam Corporation
Beneficial Ownership Table

The following table sets forth certain information concerning the beneficial ownership of our common stock as of August 19, 2009, by each person and entity known by us to own beneficially more than 5% of our common stock. We have determined beneficial ownership in accordance with the rules of the SEC. Except as indicated by the footnotes below, we believe, based on the information furnished to us, that the persons and entities named in the table below have sole voting and investment power with respect to all shares of common stock that they beneficially own, subject to applicable community property laws.

Title of Class	Name of Beneficial Owner	Amount and Nature of Beneficial Ownership (1)	Percent of Class (2)
Greater-than-5% stockholders:			
Common Stock	Ameristock Corp., Wainwright Holdings, Inc. and Nicholas Gerber (3)	595,050	13.17%
Common Stock	Harvey Silverman (4)	520,172	10.6%
Common Stock	Portside Growth and Opportunity Fund (5)	1,021,015	7.8%
Common Stock	Gruber and McBaine Capital Management, LLC (6)	415,683	5.8%
Common Stock	Jon D. Gruber (6)	480,583	6.7%
Common Stock	J. Patterson McBaine (6)	454,403	6.4%
Common Stock	Eric B. Swergold (6)	415,683	5.8%
Common Stock	Mark W. Hahn (7)	1,416,667	9.7%
Common Stock	Louis S. Slaughter (8)	1,229,286	9.0%
Current Directors and Executive Officers who are also greater-than-5% stockholders:			
Common Stock	S. Jay Lawrence (9)	2,344,167	15.1%
Common Stock	Douglas G. Lockie (10)	1,564,278	11.4%
Common Stock	Don E. Peck (11)	759,670	5.4%

- (1) Represents shares with respect to which each beneficial owner listed has or will have, upon acquisition of such shares upon exercise or conversion of options, warrants, conversion privileges or other rights exercisable within sixty days of August 19, 2009.
- (2) Percentages are calculated on the basis of the amount of outstanding common stock plus, for each person or entity, any securities that such person or entity has the right to acquire within sixty days of August 19, 2009 pursuant to options, warrants, conversion privileges or other rights. On August 19, 2009, we had 13,218,806 shares of common stock outstanding.
- (3) According to a Schedule 13G filed by Ameristock Corporation, Wainwright Holdings, Inc. and Nicholas D. Gerber with the SEC on October 29, 2004, the shares of common stock reported herein as beneficially owned directly by Ameristock Corporation, an investment adviser, for its own account. Because Ameristock Corporation is a wholly-owned subsidiary of Wainwright Holdings, Inc., Wainwright Holdings, Inc. beneficially owns the shares of our common stock that are directly owned by Ameristock Corporation. In addition, because Mr. Gerber is a 42% shareholder of Wainwright Holdings, Inc. (jointly, with his spouse) and may exercise investment power with respect to the shares of our common stock owned by Ameristock Corporation, Mr. Gerber may be deemed to beneficially own the shares of common stock owned by Ameristock Corporation. Mr. Gerber expressly disclaims such beneficial ownership, except to the extent of his indirect pecuniary interest. The address of Ameristock is Post Office Box 6919, Morago,

CA 94570. The address of Wainwright Holdings, Inc. is 103 Foulk Road, Suite 202, Wilmington, DE 19803. The address of Nicholas D. Gerber is post office box 6919, Morago, CA 94570. No subsequent 13G amendments have been filed by this beneficial owner through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class listed should be 4.5% instead of the 13.17% reported by the beneficial owner.

- (4) According to a Schedule 13G filed by Mr. Silverman with the SEC on March 22, 2005, of the 520,172 shares beneficially owned by him: (i) 116,600 shares are owned by Silverman Partners, LP, a limited partnership of which he is general partner; (ii) 189,286 shares are issuable to Silverman Partners, LP, upon exercise of warrants owned by it; (iii) 89,286 shares are issuable to Silverman Partners Class D L.P., a limited partnership of which Mr. Silverman is general partner, upon the exercise of warrants owned by it; (iv) 62,500 shares are issuable upon conversion of a promissory note owned by Silverman Partners, LP and (v) 62,500 shares are issuable upon conversion of a promissory note owned by Silverman Partners Class D L.P. Although no subsequent 13G amendments have been filed by the beneficial owner through August 19, 2009, the promissory notes held by Silverman Partners, LP and Silverman Partners Class D L.P. have been converted to common stock. Additionally, we believe that as of August 19, 2009, the Percentage of Class listed should be 3.9% instead of the 10.6% reported by the beneficial owner.
- (5) According to a Schedule 13G/A filed by Portside Growth and Opportunity Fund, Ramius Enterprise Master Fund, Ramius Advisors LLC, Ramius LLC, C4S & Co., L.L.C., Peter A. Cohen, Morgan B. Stark, Thomas W. Strauss and Jeffrey M. Solomon with the SEC on February 17, 2009, Portside beneficially owns 976,259 shares of common stock. Ramius Enterprise Master Fund owns 44,756 shares of common stock issuable upon the exercise of certain warrants. Ramius Advisors, as the investment advisor of Ramius Enterprise Master Fund, may be deemed to beneficially own the shares held by Ramius Enterprise Master Fund. Ramius LLC, as the investment advisor of Portside and the sole member of Ramius Advisors LLC, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. C4S, as the managing member of Ramius LLC, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Messrs. Cohen, Stark, Strauss and Solomon, as the sole managing members of C4S, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Messrs. Cohen, Stark, Strauss and Solomon, as the sole managing members of C4S, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Each of Ramius Advisors, Ramius LLC, C4S and Messrs. Cohen, Stark, Strauss and Solomon disclaims beneficial ownership of the shares beneficially owned by Portside and Ramius Enterprise Master Fund. For purposes of the information provided in this table, we have included the shares held by Ramius Enterprise Master Fund with the shares held by Portside. No subsequent 13G amendments have been filed by this beneficial owner through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class listed should be 7.7% instead of the 7.8% reported by the beneficial owner.
- (6) According to a Schedule 13G filed by Gruber and McBaine Capital Management, LLC, Jon D. Gruber, J. Patterson McBaine and Eric B. Swergold on February 13, 2009, Gruber and McBaine Capital Management, LLC beneficially owns 415,683 shares of common stock. Jon D. Gruber beneficially owns 480,583 shares of common stock of which he shares voting and dispositive power over 415,683 shares and has sole voting and dispositive power over 64,900 shares. J. Patterson McBaine beneficially owns 454,403 shares of common stock of which he shares voting and dispositive power over 415,683 shares and has sole voting and dispositive power over 38,720 shares. Eric B. Swergold beneficially owns 415,683 shares of common stock of which he shares voting and dispositive power over the shares. Jon D. Gruber and J. Patterson McBaine are the Managers, controlling persons and portfolio managers of Gruber and McBaine Capital Management, LLC. No subsequent 13G amendments have been filed by these beneficial owners through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class for Gruber and McBaine Capital Management listed should be 3.1% instead of the 5.8% reported; that the Percentage of Class for Jon D. Gruber should be 3.6% instead of the 6.7% reported; that the Percentage of Class for J.

Patterson McBaine should be 3.4% instead of the 6.4% reported; and that the Percentage of Class for Eric B. Swergold should be 3.1% instead of the 5.8% reported.

- (7) Mr. Hahn's beneficial ownership is comprised of 1,000,000 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 416,667 shares of common stock that are issuable upon exercise of a fully vested option with an exercise price of \$0.41 per share and an expiration date of January 31, 2018.
- (8) Mr. Slaughter's beneficial ownership is comprised of 949,286 shares of common stock, 150,000 shares of common stock held by Bittersweet Holdings, LLC, 100,000 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$12.03 per share and an expiration date of April 25, 2013, 30,000 shares that are issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011 and 250,000 shares that are issuable upon the exercise of a warrant with an exercise price of \$1.00 per share and an expiration date of April 25, 2011.
- (9) Mr. Lawrence's beneficial ownership is comprised of 1,250,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018, 937,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018, 66,667 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.63 per share and an expiration date of July 9, 2017, 40,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$9.50 per share and an expiration date of March 14, 2016, 10,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, and 40,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017.
- (10) Mr. Lockie's beneficial ownership is comprised of 1,082,078 shares of common stock, 100,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, 375,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 7,200 shares of common stock that are issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011.
- (11) Mr. Peck's beneficial ownership is comprised of 1,270 shares of common stock, 57,200 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$5.05 per share and an expiration date of May 13, 2014, 57,200 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$7.15 per share and an expiration date of May 13, 2015, 34,000 shares of common stock issuable upon the exercise of fully vested options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, 40,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017, 562,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 7,500 shares of common stock issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011.
- (12) Mr. Widmann's beneficial ownership is comprised of 187,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 50,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017.
- (13) Mr. Bentivegna's beneficial ownership is comprised of 145,833 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an expiration price of \$0.36 per share and an expiration date of February 12, 2008.

**United States Bankruptcy Court
District of Delaware**

In re GigaBeam Corporation

Debtor(s)

Case No. _____

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Bingham McCutchen PO Box 3486 Boston, MA 02241-3486	Bingham McCutchen PO Box 3486 Boston, MA 02241-3486	Professional Services		128,377.66
Blank Rome LLP The Chrysler Building 405 Lexington Avenue New York, NY 10174	Blank Rome LLP The Chrysler Building 405 Lexington Avenue New York, NY 10174	Professional Services		124,340.05
Coral Reef TBC, LLC 2100 West 76th Street Suite 401 Hialeah, FL 33016	Coral Reef TBC, LLC 2100 West 76th Street Suite 401 Hialeah, FL 33016	Rent		84,218.72
Don E. Peck 1309 Ballyclare Court Raleigh, NC 27614-7169	Don E. Peck 1309 Ballyclare Court Raleigh, NC 27614-7169	Employee - Deferred Salary		113,935.04
Douglas G. Lockle 19267 MOUNTAIN WAY Los Gatos, CA 95030-3070	Douglas G. Lockle 19267 MOUNTAIN WAY Los Gatos, CA 95030-3070	Employee - Deferred Salary		263,942.30
Douglas G. Lockle 19267 MOUNTAIN WAY Los Gatos, CA 95030-3070	Douglas G. Lockle 19267 MOUNTAIN WAY Los Gatos, CA 95030-3070	Employee - Deferred Salary		58,983.85
Gary Herwitz 15 Richmond Hill Irvington, NY 10533	Gary Herwitz 15 Richmond Hill Irvington, NY 10533			70,000.00
Harmony Casting Amsouth Bank Wholesale Lockbox, Drawer #1044 Birmingham, AL 35244	Harmony Casting Amsouth Bank Wholesale Lockbox, Drawer #1044 Birmingham, AL 35244	MFG - Product / Service		83,148.92
Internal Revenue Service Philadelphia, PA 19154	Internal Revenue Service Philadelphia, PA 19154	Payroll Taxes		300,352.29
JAMES KENNETT PO BOX 10764 SOUTHPORT BUSINESS CENTRE SOUTHORT 4215 QUEENSLAND, AUSTRALIA	JAMES KENNETT PO BOX 10764 SOUTHPORT BUSINESS CENTRE QUEENSLAND, AUSTRALIA	Contractor		62,019.23

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Kennett, James PO Box 10764 Southport Business Centre- Southport 4215 Queensland, Australia	Kennett, James PO Box 10764 Southport Business Centre- Queensland, Australia	Employee Reimbursements (Insider)		105,882.38
Lion Group, The 9774 Polished Stone Columbia, MD 21046	Lion Group, The 9774 Polished Stone Columbia, MD 21046	Professional Services		123,677.00
Lou Slaughter 7% Note P.O. Box 96 Weston, MA 02493	Lou Slaughter 7% Note P.O. Box 96 Weston, MA 02493	*Former Officer		65,000.00
Lou Slaughter Promissory Note P.O. Box 96 Weston, MA 02493	Lou Slaughter Promissory Note P.O. Box 96 Weston, MA 02493	*Former Employee (Insider)		150,000.00
Marcum & Kilegman 655 Third Avenue New York, NY 10017	Marcum & Kilegman 655 Third Avenue New York, NY 10017	Professional Services		69,515.00
Portside Growth & Opportunity Fund C/O Ramius LLC 599 Lexington Ave, 20th Floor New York, NY 10022	Portside Growth & Opportunity Fund C/O Ramius LLC 599 Lexington Ave, 20th Floor New York, NY 10022	Administrative Services		97,500.00
Stewart Richer 2 Horatio Street New York, NY 10014	Stewart Richer 2 Horatio Street New York, NY 10014			70,000.00
Towers, Nigel 43 Tithe Pit Shaw Lane Warlingham Surrey, England CR6 9AS	Towers, Nigel 43 Tithe Pit Shaw Lane Warlingham Surrey, England CR6 9AS	Contractor		66,079.57
Trombly Business Law 1320 Centre St #202 Newton Center, MA 02459	Trombly Business Law 1320 Centre St #202 Newton Center, MA 02459	Professional Services		99,807.61
Wennerstrom, Stig & Britt- Marie 28 Harbor Point Key Biscayne, FL 33149-1716	Wennerstrom, Stig & Britt-Marie 28 Harbor Point Key Biscayne, FL 33149-1716	Assets of GigaBeam Corporation		100,000.00

B4 (Official Form 4) (12/07) - Cont.

In re GigaBeam Corporation

Debtor(s)

Case No. _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Chief Executive Officer of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date September 1, 2009Signature /s/ Samuel J. Lawrence 

Samuel J. Lawrence
Chief Executive Officer

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court
District of Delaware**

In re GigaBeam Corporation

Debtor

Case No. _____

Chapter 11

LIST OF EQUITY SECURITY HOLDERS

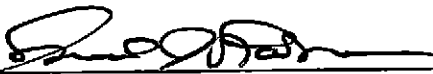
Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Amerlstock Corp., Walnwright Holdings, Inc. and Nicholas Gerber P.O. Box 6919 Moraga, CA 94570	Common Stock		13.17%
See Attached List of Equity Security Holders			
See Attached Table of Beneficial Ownership			

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Chief Executive Officer of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date September 2, 2009

Signature 
Samuel J. Lawrence
Chief Executive Officer

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C §§ 152 and 3571.*

LIST OF EQUITY SECURITY
HOLDERS

	1ST LINE OF ADDRESS	2ND LINE OF ADDRESS	3RD LINE OF ADDRESS	4TH LINE OF ADDRESS	LINE OF ADDRESS	ISSUE	# OF SHARES
GIGABEAM	300 EAST 56TH ST #21G	NEW YORK NY 10022				COM	8,176
MICHAEL MADES							
ALLIED DIESEL SERVICE	869 HWY 33 EAST	FREEHOLD NJ 07228				COM	4,883
EMPLOYEES' SP	ANDREW REVOCABLE TRUST	C/O WILLIAM ANDREW	4189 W MILKY WAY UNIT #3	CHANDLER AZ 85226		COM	99,647
ANIMA S G R P A RUBRICA-ANIMAAMERICA	C/O BANCO DI DESIO E DELLA BRIANZA	ATTN MIDDLE OFFICE	VIA ROVAGNATI 1	20033 DESIO (MI)	ITALY	COM	10,000
ANIMA S G R P A RUBRICA-ANIMAFONDAITINO	C/O BANCO DI DESIO E DELLA BRIANZA	ATTN MIDDLE OFFICE - VIA ROV	20033 DESIO (MI)	20033 DESIO (MI)	ITALY	COM	8,000
ANIMA S G R P A RUBRICA-ANIMAFONDO TRADING	C/O BANCO DI DESIO E DELLA BRIANZA	ATTN MIDDLE OFFICE - VIA ROV	20033 DESIO (MI)	20033 DESIO (MI)	ITALY	COM	40,000
ARORA	ULRICH REID SP	GARTENSTRASSE 38	CH 8002 ZURICH	SMITZERLAND		COM	24,526
BOMF TRUSTEES LLC	C/O BUSHIDO CAPITAL	ATTN RONALD DAGAR	145 E 57TH ST 11TH FL	NEW YORK NY 10022		COM	235
ALFRED BERG	9 ELMHURST DRIVE	OLD WESTBURY NY 11568-1007				COM	59,377
DANIEL BERKOWITZ - IRA	114 TAMM RD	NEW ROCHELLE NY 10804				COM	4,432
PERSHING LLC CUST F/B/O	DANIEL BERKOWITZ	P O BOX 2060	JERSEY CITY NJ 07303			COM	451
MICHAEL BERLINGER	670 CARROLL ST	BROOKLYN NY 11216				COM	4,883
STEVEN MARC BETTINGER	9620 BRIDGEBROOK DR	BOCA RATON FL 33486				COM	3,816
BITTERSWEET HOLDINGS LLC	C/O BLANKROME LLP	THE CHRYSLER BLDG	405 LEXINGTON AVE	NEW YORK NY 10174		COM	150,000
DOUGLAS BROYLES	19745 BAINTER AVE	SARATOGA CA 95070				COM	415
BUSHIDO CAPITAL MASTER FUND LP	C/O BUSHIDO CAPITAL PARTNERS LTD	145 EAST 57TH ST	NEW YORK NY 10022			COM	940
CEDE & CO (FAST)	BOX #20	BOWLING GREEN STATION	NEW YORK NY 10004			COM	6,449,273
CFOUR LLC	CFOUR PARTNERS LLC	% RONALD MULLINS	CHARTERED FINAN CONSUL MO	245 LYTTON AVE SUITE 9A	PALO ALTO CA 94303	COM	56,697
CHANEL HOLDINGS (NEVIS) LLC	ATTN PATRICK W SMITH	11445 E VIA LINDA #2-411	SCOTTSDALE AZ 85259			COM	47,311
TED CHIASANOFF	1085 AVE OF THE AMERICAS	NEW YORK NY 10018				COM	335
CHAUSSIER INTERNATIONAL	27 RUE CARBON	75001 PARIS	FRANCE			COM	12,000
TED CHIASANOFF	1085 AVE OF THE AMERICAS	NEW YORK NY 10018				COM	4,566
KEVIN CLARKE - IRA	72-10 37TH AVE #622	JACKSON HEIGHTS NY 11372-6210				COM	4,464
ANN CLEMENTE	1300 BEN FRANKLIN DR #1109	SARASOTA FL 34236				COM	4,883
SUSAN CORCORAN	18 EASTBROOK RD	HARRINGTON PARK NJ 07640				COM	4,619
MORTON M CRANDALL TR	MFC COMPUTER CORP PROFIT SHARING	3010 WESTCHESTER AVE	PURCHASE NY 10577			COM	139
DOMACO VENTURE CAPITAL FUND	195 BEECH ST	EASTCHESTER NY 10709				COM	4,883
MARSHALL DONAT & *	MARY JANE DONAT JT TEN	142 LINCOLN AVE	PURCHASE NY 10577-2313			COM	4,903
ELIAS SAYOUR FOUNDATION						COM	451
ENABLE GROWTH PARTNERS LP	1 FERRY BLDG #255	SAN FRANCISCO CA 94111				COM	6,490
ENABLE OPPORTUNITY PARTNERS LP	1 FERRY BLDG #255	SAN FRANCISCO CA 92111				COM	1,294
ENDWAYE CORPORATION	ATTN EDWARD A KEIBLE JR	776 PALOMAR AVE	SUNNYVALE CA 94085			COM	332
MARC ENGELBERT	1165 PARK AVE	NEW YORK NY 10128				COM	869
MARC ENGELBERT	1165 PARK AVE	NEW YORK NY 10128				COM	4,034
EQUITY INTEREST INC	C/O JACK POLAK	195 BEECH ST	EASTCHESTER NY 10709			COM	4,883
FALCON FUND	ATTN EDWARD F TUCK	100 NORTH BARRANCA ST #920	WEST COVINA CA 91791			COM	176,175
RONALD FATOUILLAH & EDWARD FEIGHAN	ELLIOT FATOUILLAH TEN COM	110 PEACH DR	ROSLYN NY 11576			COM	27,939
SHEILA FLUGEL	845 N HIGH ST #504	COLUMBUS OH 43215				COM	4,883
ROSE FRANKFORT TR	89 REDAN DRIVE	SMITH TOWN NY 11787				COM	4,903
DAVIS GAYNES & LORRAINE GELARDI JT TEN	ROSE FRANKFORT TRUST	1024 E FRYE RD #1070	PHOENIX AZ 85048			COM	4,883
MICHAEL GELARDI & STEVEN W GELSTON	LORRAINE GELARDI JT TEN	27 BOXWOOD LANE	RYE NY 10580			COM	4,883
BENJAMIN GENZER TR	410 WEST 24TH ST #161	NEW YORK NY 10011	BRIARCLIFF MANOR NY 10510			COM	4,903
JOSEPH L GERARDI	ELIZABETH GENZER REVOC TRUST	1575 DILLON AVE	EAST MEADOW NY 11564			COM	4,903
THOMAS N GIACCHERINI	1745 OENOKO RIDGE	NEW CANAAN CT 06840				COM	20
BARRY GOLDIN & JOEL GOLDSTEIN TR	P O BOX 1746	405 EL CAMINITO ROAD	CARMEL VALLEY CA 93824			COM	60,463
BRUCE GOMBERG	MSI RETIREMENT PLAN TRUST	8043 FISHER ISLAND DRIVE	MIAMI BEACH FL 33109			COM	4,883
	C/O AMPER POLLITZNER & MATTIA	9229 SUNSET BLVD #710	LOS ANGELES CA 90069			COM	4,883
		6 E 43RD ST	NEW YORK NY 10017			COM	4,903

ANN M GRAHAM	11200 OLD CLUB RD	ROCKVILLE MD 20852				COM	106,658
JOAN GRILLO	16 HILL LANE	SMITHTOWN NY 11787				COM	4,903
JOHN GROSS - IRA	16 HOLLY LANE	RYE BROOK NY 10573				COM	4,432
PERSHING LLC CUST	F/B/O JOHN GROSS IRA	JERSEY CITY NJ 07303				COM	451
ANDREW P GROSSMAN TR	ANDREW P GROSSMAN PROFIT SHARING	RYE BROOK NY 10573				COM	4,883
GRUBER & MCBAIN							
INTERNATIONAL	50 OSGOOD PLACE #PH	SAN FRANCISCO CA 94133				COM	46,527
JON D GRUBER &	LINDA W GRUBER TTEES	JON D & LINDA W GRUBER TRUST			50 OSGOOD PLACE #PH	COM	33,810
GRYPHON MASTER FUND LP	500 CRESCENT COURT #270	DALLAS TX 75201				COM	270,492
GSSF MASTER FUND LP	100 CRESCENT COURT	DALLAS TX 75201				COM	135,243
RANDY S GUTTENBERG	36 PEBBLE BEACH DRIVE	LIVINGSTON NJ 07039				COM	4,619
JACOB I HAFT	70 BERKELEY DRIVE	TENAFLY NJ 07670				COM	4,883
MARK R HANCOCK	C/O CISCO SYSTEMS	6340 S 3000 E #390			SALT LAKE CITY UT 84121	COM	5,543
HCTP/BRENNER SECURITIES	ATTN STEVEN D SHEFFER	888 SEVENTH AVE - 17TH FL			NEW YORK NY 10106	COM	2,608
GERALD F HEUPEL JR	2111 APPLE TREE LANE	SILVER SPRING MD 20905-4414				COM	19,789
CATHERINE HICKS TTEE	CATHERINE HICKS INC PSP	C/O MSI			237 WEST 35TH ST - 4TH FL	COM	4,883
NORTON F HIGHT - IRA	118 E 60TH ST #23C	NEW YORK NY 10022			NEW YORK NY 10001	COM	4,432
RANDALL W HIGHT	50 BIRCH DRIVE	ROSLYN NY 11576				COM	4,803
MADELEINE HURD	PMB 107	903 WEST ALMEDA ST			SANTA FE NM 88501	COM	4,883
JOHN M IMPERIALE - IRA	8 EAST 82ND ST	HARVEY CEDARS NJ 08008				COM	4,432
INTERNATIONAL							
TELECOMMUNICATIONS	SUPPLY COMPANY LLC	ATTN BRAD HARWOOD			2703 DAWSON RD	COM	15,000
ISLANDIA LP	C/O JOHN LANG INC	485 MADISON AVE - 23RD FL			NEW YORK NY 10022	COM	811,476
SHARON AUGUST JONES	520 WEST MAIN ST	OLD TOWN			TUSTIN CA 92780	COM	1,026
SCOTT KAIDEN &	CHARLOTTE KAIDEN JT TEN	14602 S PRESARIO TRAIL			PHOENIX AZ 85048	COM	4,883
BURTON I KAUFFMAN	3160 HICKORY LANE	BINGHAMPTON NY 13903				COM	57,581
ELAINE N KELLY	210 MOON RIDGE RD	P O BOX 204			KILLINGTON VT 05751	COM	4,883
MALURA KELLY	C/O GLOBAL PAYMENTS INC	ATTN JIM KELLY			10 GLENLAKE PKWY	COM	4,883
WILLIAM P KELLY - SEP IRA	52 DUANE ST 7TH FLOOR	NEW YORK NY 10007			ATLANTA GA 30328	COM	4,432
ANDREW KORDAS	3 DORSET RD	NORWALK CT 06851				COM	20
JED KRUCHTEN	4330 O WESTWAY AVE	DALLAS TX 75205				COM	19,874
JOHN E KRZYWICKI TTEE	JOHN E KRZYWICKI TRUST	188 LINCOLN ROAD			LINCOLN MA 01773	COM	6,591
PETER Z KUBIN &	MARIE E KUBIN TEN COM	26 KEARNEY TERRACE			LIVINGSTON NJ 07039	COM	19,793
LAGUNTAS PARTNERS LP	50 OSGOOD PLACE #PH	SAN FRANCISCO CA 94133				COM	169,872
NANCY LANE	45 WEST 10TH ST #5D	NEW YORK NY 10011				COM	4,883
CHRISTINE R LARSON	577 CREEDON CIRCLE	ALAMEDA CA 94502				COM	9,896
LEWIS E LARSON	THE LION GROUP	9774 POLISHED STONE			COLUMBIA MD 21046	COM	32,000
ANITA LAZARIS TR	ANITA LAZARIS TRUST	1603 ABACO DR E 1			COCONUT CREEK FL 33066	COM	4,903
SIDNEY LAZARIS - IRA	7847 EXETER BLVD EAST	TAMARAC FL 33321				COM	4,432
JAMES W LEES	8 WALNUT ST	MARBLEHEAD MA 01945				COM	58,078
ED LEWIT &	PHOEBE LEWIT JT TEN	76 DOGLEG LANE			ROSLYN HEIGHTS NY 11577	COM	4,883
PETER LEWIT &	VIVIEN LEWIT JT TEN	689 5TH AVE - 5TH FL			NEW YORK NY 10022	COM	4,883
THE LION GROUP	THE LION GROUP	ATTN LEWIS LARSON			9774 POLISHED STONE	COM	112,000
DOUG LOCKIE &	DEBRA LOCKIE JT TEN	19267 MOUNTAIN WAY			LOS GATOS CA 95030-3070	COM	9,489
DOUGLAS G LOCKIE	19267 MOUNTAIN WAY	LOS GATOS CA 95030				COM	1,082,078
ALLAN R LYONS	6471 ENCLAVE WAY	BOCA RATON FL 33486				COM	8,176
MANTARO NETWORKS INC	ATTN JEREMY PARSONS	20410 CENTURY BLVD SUITE 120			GERMANTOWN MD 20874	COM	40,000
PERSHING LLC CUST	F/B/O ROGER E MARKS IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	461
ROGER R MARKS - IRA	1276 RTE 35	SOUTH SALEM NY 10580				COM	4,432
WILLIAM R MARSH	2810 BRENTWOOD BLVD	GRAND ISLAND NE 68801				COM	18,704
J PATERSON MCBAIN	50 OSGOOD PLACE #PH	SAN FRANCISCO CA 94133				COM	20,286
JAY MCCANDLESS	4912 TIMBERLY DR	DURHAM NC 27707				COM	45,000
GERALD T MCCARTHY - SEP IRA						COM	4,432
SCOTT MCNAIR	52 DUANE ST - 7TH FL	NEW YORK NY 10007				COM	13,988
MERRILL A MCPHEAK	967 E EAGLEWOOD DR	NORTH SALT LAKE CITY UT 84054				COM	1,318
MORTON M CRANDALL TR	123 FURNACE ST	LAKE OSWEGO OR 97034				COM	731
MEADOWBROOK	MRC COMPUTER CORP PROFIT SHARING	3010 WESTCHESTER AVE			PURCHASE NY 10577	COM	
OPPORTUNITY FUND LLC	520 LAKE COOK ROAD #690	DEERFIELD IL 60015				COM	62,765
ROLAND MENDELLE	P O BOX 722	TOPANGA CA 90290				COM	4,883

MIDSUMMER INVESTMENT LTD	295 MADISON AVE - 38TH FL	NEW YORK NY 10017				COM	65,382
PERSHING LLC CUST	F/B/O WOLFE F MODEL IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
WOLFE F MODEL - IRA	525 WEST END AVE	NEW YORK NY 10024				COM	4,432
RICHARD NEIL MOLINSKY	51 LORD'S HWY EAST	WESTON CT 06883				COM	4,666
EDWARD MOSS &	ADENA MOSS JT TEN	422 WESTMINSTER ROAD			ROCKVILLE CENTER NY 11570	COM	4,903
MRC COMPUTER						COM	4,034
CORPORATION P/S PLAN	3010 WESTCHESTER AVE	PURCHASE NY 10577				COM	46,900
BRENDA NARCOMEY &	KEVIN O NARCOMEY TEN COM	1 BLACKFIELD DR 410			BELVEDERE TIBURON CA 94920	COM	18,583
KEVIN NARCOMEY &	BRENDA NARCOMEY JT TEN	1 BLACKFIELD DR 410			BELVEDERE TIBURON CA 94920	COM	4,883
CARIN S NETTER	7 STONEFALLS CT	RYE BROOK NY 10573				COM	87,500
ORION MANUFACTURING INC	ATTN MATT DAVIS	2271 RINGWOOD AVE			SAN JOSE CA 95131	COM	4,903
RONALD OSUR	36 BROWNING RD	SHORT HILLS NJ 07078				COM	115,536
DONALD E PARKER	2564 LORING ST	SAN DIEGO CA 92109				COM	9,884
DON E PECK &	CLARICE EILFEN PECK JT TEN	1309 BALLYCLARE COURT			RALEIGH NC 27614	COM	451
PERSHING LLC CUST	F/B/O JACK POLAK IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
PERSHING LLC CUST	F/B/O NORTON F HIGHT IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
PERSHING LLC CUST	F/B/O GERALD T MCCARTHY IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
PERSHING LLC CUST	F/B/O WILLIAM P KELLY IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
PERSHING LLC CUST	F/B/O JOHN M IMPERIALE IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
PERSHING LLC CUST	F/B/O ROBERT S SHAPIRO IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
PERSHING LLC CUST	F/B/O DAVID SWERDLOFF IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	4,883
PERSHING LLC CUST	F/B/O SIDNEY LAZARUS IRA	P O BOX 2050			JERSEY CITY NJ 07303	COM	100
WILLIAM H PETERSON TR	WILLIAM H PETERSON LIV TRUST	2403 BEACH RD			WALLED LAKE MI 48390	COM	865
BLAIR A PETTY JOHN	14013 CAPTAINS ROW 108	MARINA DEL REY CA 90292				COM	4,652
PIERCE DIVERSIFIED	MASTER FUND LLC ENA	1 FERRY BLDG #255			SAN FRANCISCO CA 94111	COM	4,803
PIERCE DIVERSIFIED	MASTER FUND LLC - SERIES BUIS	145 EAST 57TH ST			NEW YORK NY 10022	COM	4,883
STRATEGY	C/O MAXIM GROUP	405 LEXINGTON AVE - 2ND FL			NEW YORK NY 10174	COM	4,034
ANTHONY G POLAK	C/O MAXIM GROUP	405 LEXINGTON AVE - 2ND FL			NEW YORK NY 10174	COM	4,903
JACK POLAK &	195 BEECH ST	EASTCHESTER NY 10573				COM	849
JACK POLAK - IRA	1411 CARROLL AVE	LOS ANGELES CA 90026				COM	4,432
MARGARET B POLAK	C/O CITIGROUP GLOBAL MARKETS INC	350 GREENWICH ST - 3RD FL			NEW YORK NY 10013	COM	2,366
PORTSIDE GROWTH &	18665 VIA TORINO	IRVINE CA 92603				COM	41
OPPORTUNITY FUND	C/O CONATIVE CAPITAL MGMT	ATTN LOUIS RABMAN			424 MADISON AVE SUITE 800	COM	3,825
QUINN FAMILY TRUST	CHARLES RE PROFIT SHARING PLAN	78 BEDFORD ST #5A			NEW YORK NY 10017	COM	4,432
RALPH RABMAN	F/B/O CHARLES RE PROFIT SHARING PL	P O BOX 2050			JERSEY CITY NJ 07303	COM	451
CHARLES RE TR	LOUISE E REHLING TRUST	200 E DELAWARE PLACE APT 24F			CHICAGO IL 60611	COM	28,207
PERSHING LLC CUST	LOUISE E REHLING IRA	200 E DELAWARE PL APT 24F				COM	18,704
LOUISE E REHLING TR	C/O MAXIM GROUP	ATTN RONALD M LAZAR			406 LEXINGTON AVE - 2ND FL	COM	27,691
RBC CAPITAL MARKETS CORP	150 EAST 68TH ST - 28TH FL	NEW YORK NY 10155				COM	14,280
RUBENSTEIN PUBLIC	96 DOVE HILL DR	MANHASSET NY 11030				COM	4,903
RELATIONS INC	SYBIL ROSENBERG JT TEN	3 BRASSIE RD			EASTCHESTER NY 10709	COM	3,563
STANLEY RUBENSTEIN	C/O ARTERIO INC	1061-B SHARY CIRCLE			CONCORD CA 94518	COM	4,883
JON RUBIN TR	ARTERRO INC PROFIT SHARING PLAN	1061-B SHARY CIRCLE			CONCORD CA 94518	COM	67
FLORENCE SAFFORD	1345 AVENUE OF THE AMERICAS	NEW YORK NY 10105				COM	2,705
MARVIN SAMEL	3500 MONTCLAIR RD	BIRMINGHAM AL 35243				COM	2,772
MARVIN SAMUEL	7441 WAYNE AVE 14F	MIAMI BEACH FL 33141			LOS ANGELES CA 90029	COM	4,883
JONATHAN SANN	2301 COLLINS AVE PH #5	MIAMI BEACH FL 33139				COM	67
	12415 S W 136TH AVE #2	MIAMI FL 33186				COM	2,705
	12415 S W 136TH AVE #2	MIAMI FL 33186				COM	2,772

ELIAS SAYOUR FOUNDATION INC	ATTN PAUL SAYOUR - VP	217 LYNN LANE	WESTFIELD NY 07090		COM	4,452
BARBARA SCHARF	8 CANDY LANE	RYE BROOK NY 10573			COM	4,903
JARED J SCHARF TR	MARK IRREVOCABLE TRUST	C/O JARED J SCHARF	1026 WESTCHESTER AVE #305	WHITE PLAINS NY 10604	COM	4,903
ROBERT S SHAPIRO - IRA	6 WINTHROP DR	RYE BROOK NY 10573			COM	4,432
SETH A SHAPIRO &	MARI SHAPIRO JT TEN	8085 LAUREL RIDGE CT	DELRAY BEACH FL 33446		COM	4,619
LOREN SKEIST &	DARLENE MARKO SKEIST JT TEN	50 EAST 89TH ST #30D	NEW YORK NY 10128		COM	27,973
LOUIS S SLAUGHTER	PO BOX 96	WESTON MA 02493			COM	974,542
LOUIS S SLAUGHTER	PO BOX 96	WESTON MA 02493			COM	10,954
PHILLIPS W SMITH TR	PHILLIPS W SMITH FAMILY FUND	7501 NORTH IRONWOOD DRIVE	PARADISE VALLEY AZ 85253		COM	94,888
MICHAEL SPLAIN	1559 RUBINO CT	PLEASANTON CA 94586			COM	130,891
MURRAY STADTMAUER &	CLARE STADTMAUER JT TEN	217-15 39TH AVE	BAYSIDE NY 11361		COM	138
MURRAY STADTMAUER &	GARY J STADTMAUER JT TEN	NEW YORK NY 10024	BAYSIDE NY 11361		COM	4,903
RHEA D STADTMAUER &	JANICE M MAJMAN JT TEN	27 WATERBURY ROAD	MONTCLAIR NJ 07043		COM	4,769
MARK ALAN STURZA	16161 VENTURA BLVD #815	ENCINO CA 91436			COM	4,883
DAVID SWERDLOFF - IRA	19 WOODWARD DR	RYE BROOK NY 10573			COM	4,432
DAVID TARICA TR	GREEN ACRES DENTAL SALARY SAVING	225 W 35TH ST - 2ND FL	NEW YORK NY 10001		COM	4,893
DAVID S TARICA TTEE	34TH STREET DENTAL PROFIT SHARING	225 W 35TH ST - 2ND FL	NEW YORK NY 10001		COM	4,853
MICHELE TARICA	145 GOLF VIEW DRIVE	JERICHO NY 11753			COM	4,883
MIKE THERMOS	5482 BUSINESS DRIVE #B	HUNTINGTON BEACH CA 92649			COM	4,619
AUGUST THURSTON	21 1/2 MAST ST	MARINA DEL REY CA 90292			COM	57,767
ANGY TOWERS	43 TITHE PIT SHAW LANE	WARLINGHAM	SURREY CR8 9AS	UK	COM	103,000
AMY TROMBLY	C/O TROMBLY BUSINESS LAW	1320 CENTRE ST STE 202	NEWTON MA 02459		COM	250,000
WILLIAM VOGEL	110 8TH ST NE	WASHINGTON DC 20002			COM	86,682
PERSHING LLC CUST	F/B/O MILTON J WALTERS - IRA	ONE PERSHING PLAZA - 7TH FL	JERSEY CITY NJ 07309		COM	9,949
PHILIP WASSERMAN	382 W PASSAIC AVE	BLOOMFIELD NJ 07003			COM	4,903
MARC WEISS	82 FRANKLIN ST #4	NEW YORK NY 10013			COM	8,230
SCOTT F WETENKAMP	101 FIRST ST	FMB 504	LOS ALTOS CA 94022		COM	91,714
TAVOR S WHITE	49 WEST 70TH ST #2	NEW YORK NY 10023			COM	4,883
WTS SAL	C/O WATAMAR & PARTNERS	ATN WAHBE TAMARIS	1 PLACE SAINT-GERVAIS	1201 GENEVA	COM	19,959
JOHN A YEWBALL &	ELIZABETH G YEWBALL JT TEN	C/O LAIDLAW & CO LTD	80 PARK AVE - 38TH FL	NEW YORK NY 10016	COM	9,658
JONATHAN YOUNG TR	JONATHAN YOUNG IRA	8 WOODLAND ROAD	PORT JEFFERSON NY 11777		COM	4,883
SUSAN ZVERIN - IRA	16 DEER RUN	RYE BROOK NY 10573			COM	4,432
PERSHING LLC CUST	F/B/O SUSAN ZVERIN IRA	P O BOX 2050	JERSEY CITY NJ 07303		COM	451
						181
MICHAEL MADES	300 EAST 56TH ST #21G	NEW YORK NY 10022			PFDA	75
ALLIED DIESEL SERVICE						
EMPLOYEES' SP	869 HWY 39 EAST	FREEHOLD NJ 07228			PFDA	37
WILLIAM V ANDREW TR	ANDREW REVOCABLE TRUST	C/O WILLIAM ANDREW	4189 W MILKY WAY UNIT #3	CHANDLER AZ 85226	PFDA	750
ARBORE	ULRICH REID SP	GARTENSTRASSE 38	CH 8002 ZURICH	SWITZERLAND	PFDA	225
ALFRED BERG	9 ELMHURST DRIVE	OLD WESTBURY NY 11568-1097			PFDA	450
DANIEL BERKOWITZ - IRA	114 TAYMIL RD	NEW ROCHELLE NY 10804			PFDA	37
MICHAEL BERLINGER	670 CARROLL ST	BROOKLYN NY 11215			PFDA	37
STEVEN MARC BETTINGER	9520 BRIDGEBROOK DR	BOCA RATON FL 33496			PFDA	35
CHANEL HOLDINGS (NEVIS) LLC	ATTN PATRICK W SMITH	11445 E VIA LINDA #2-411	SCOTTSDALE AZ 85259		PFDA	355
TED CHIASANOFF	1065 AVE OF THE AMERICAS	NEW YORK NY 10018			PFDA	37
KEVIN CLARKE - IRA	72-10 37TH AVE #622	JACKSON HEIGHTS NY 11372-6219			PFDA	37
ANN CLEMENTE	1300 BEN FRANKLIN DR #1109	SARASOTA FL 34236			PFDA	37
SUSAN CORCORAN	18 EASTBROOK RD	HARRINGTON PARK NJ 07840			PFDA	35
MORTON M CRANDALL TR	MRC COMPUTER CORP PROFIT SHARING	3010 WESTCHESTER AVE	PURCHASE NY 10577		PFDA	37
DOMACO VENTURE CAPITAL FUND						
MARSHALL DONAT &	MARY JANE DONAT JT TEN	EASTCHESTER NY 10709			PFDA	37
MARG ENGELBERT	1165 PARK AVE	142 LINCOLN AVE	PURCHASE NY 10577-2313		PFDA	37
EQUITY INTEREST INC	C/O JACK POLAK	NEW YORK NY 10128			PFDA	37
RONALD FATOUILLAH &	ELLIOT FATOUILLAH TEN COM	195 BEECH ST	EASTCHESTER NY 10709		PFDA	37
EDWARD FEIGHAN	845 N HIGH ST #504	110 PEACH DR	ROSLYN NY 11576		PFDA	212
SHEILA FLIGEL	88 REDAN DRIVE	COLUMBUS OH 43215			PFDA	37
ROSE FRANKFORT TR	ROSE FRANKFORT TRUST	SMITH TOWN NY 11787			PFDA	37
DAVIS GAYNES &	BARBARA GAYNES JT TEN	1024 E FRYE RD #1070	PHOENIX AZ 85048		PFDA	37
MICHAEL GELARDI &	LORRAINE GELARDI JT TEN	7 BOXWOOD LANE	RYE NY 10560		PFDA	37
		27 HIDDEN OAK RD	BRIARCLIFF MANOR NY 10510		PFDA	37

PERSHING LLC CUST	FBI/O LOUISE E REHILING - IRA	SIERRA EQUITY GROUP	7700 CONGRESS - SUITE 3207	BOCA RATON FL 33487	PFDA	141
RL CAPITAL PARTNERS LP	C/O MAXIM GROUP	ATTN RONALD M LAZAR	405 LEXINGTON AVE - 2ND FL	NEW YORK NY 10174	PFDA	288
STEVIE ROSEMAN	96 DOVE HILL DR	MANHASSSET NY 11030			PFDA	37
LESLEI ROSENBERG &	SYBIL ROSENBERG JT TEN	3 BRASSIE RD	EASTCHESTER NY 10709		PFDA	37
JONATHAN ROTHCHILD	C/O ARTERIO INC	1081-B SHARY CIRCLE	CONCORD CA 94518		PFDA	37
JONATHAN ROTHCHILD TR	ARTERIO INC PROFIT SHARING PLAN	1081-B SHARY CIRCLE	CONCORD CA 94518		PFDA	37
STANLEY RUBENSTEIN	3500 MONTCLAIR RD	BIRMINGHAM AL 35243			PFDA	35
JON RUBIN TR	JON RUBIN REV TRUST	1250 N HARVARD BLVD	LOS ANGELES CA 90029		PFDA	37
FLORENCE SAFFORD	7441 WAYNE AVE 14F	MIAMI BEACH FL 33141			PFDA	37
MARVIN SAMUEL	12415 S W 136TH AVE #2	MIAMI FL 33186			PFDA	21
JONATHAN SANN	12415 S W 136TH AVE #2	MIAMI FL 33186			PFDA	21
ELIAS SAYOUR FOUNDATION INC	ATTN PAUL SAYOUR - VP	217 LYNN LANE	WESTFIELD NY 07090		PFDA	37
BARBARA SCHARF	8 CANDY LANE	RYE BROOK NY 10573			PFDA	37
JARED J SCHARF TR	MARK IRREVOCABLE TRUST	C/O JARED J SCHARF	1025 WESTCHESTER AVE #305	WHITE PLAINS NY 10604	PFDA	37
ROBERT S SHAPIRO - IRA	6 WINTHROP DR	RYE BROOK NY 10573			PFDA	37
SETH A SHAPIRO &	DARI SHAPIRO JT TEN	3095 LAUREL RIDGE CT	DELRAY BEACH FL 33446		PFDA	35
LOREN SKEIST &	MARLENE MARKO SKEIST JT TEN	50 EAST 89TH ST #30D	NEW YORK NY 10128		PFDA	211
LOUIS S SLAUGHTER	PO BOX 96	WESTON MA 02493			PFDA	300
PHILLIPS W SMITH TR	PHILLIPS W SMITH FAMILY FUND	7501 NORTH IRONWOOD DRIVE	PARADISE VALLEY AZ 85253		PFDA	710
MICHAEL SPLAIN	1559 RUBINO CT	PLEASANTON CA 94566			PFDA	992
MURRAY STADTMAUER &	CLARE STADTMAUER JT TEN	217-15 39TH AVE	BAYSIDE NY 11361		PFDA	37
GARY J STADTMAUER	565 W END AVE #9E	NEW YORK NY 10024			PFDA	37
RHEA D STADTMAUER &	JANICE M MAIMAN JT TEN	27 WATERBURY ROAD	MONTCLAIR NJ 07043		PFDA	37
DAVID SMERDLOFF - IRA	19 WOODWARD DR	RYE BROOK NY 10573			PFDA	37
DAVID TARICA TR	GREEN ACRES DENTAL SALARY SAVING	225 W 35TH ST - 2ND FL	NEW YORK NY 10001		PFDA	37
DAVID S TARICA TTEE	34TH STREET DENTAL PROFIT SHARING	225 W 35TH ST - 2ND FL	NEW YORK NY 10001		PFDA	37
MICHELE TARICA	145 GOLF VIEW DRIVE	JERICHO NY 11753			PFDA	37
MIKE THERMOS	5482 BUSINESS DRIVE #B	HUNTINGTON BEACH CA 92648			PFDA	35
PERSHING LLC CUST	FBI/O MILTON J WALTERS - IRA	ONE PERSHING PLAZA - 7TH FL	JERSEY CITY NJ 07399		PFDA	75
PHILIP WASSERMAN	382 W PASSAIC AVE	BLOOMFIELD NJ 07003			PFDA	37
MARC WEISS	82 FRANKLIN ST #4	NEW YORK NY 10013			PFDA	85
TAYOR S WHITE	49 WEST 70TH ST #2	NEW YORK NY 10023			PFDA	37
WTS SAL	C/O WATAMAR & PARTNERS	ATN WAHBE TAMARIS	1 PLACE SAINT-GERVAIS	SWITZERLAND	PFDA	160
JOHN A YEWDALE &	ELIZABETH G YEWDALE JT TEN	C/O LAIDLAW & CO LTD	90 PARK AVE - 39TH FL	NEW YORK NY 10016	PFDA	75
JONATHAN YOUNG TR	JONATHAN YOUNG IRA	8 WOODLAND ROAD	PORT JEFFERSON NY 11777		PFDA	37
SUSAN ZVERIN - IRA	16 DEER RUN	RYE BROOK NY 10573			PFDA	37
CEDE & CO (FAST)	BOX #20	BOWLING GREEN STATION	NEW YORK NY 10004		WTS	922 217
ALLIED DIESEL SERVICE EMPLOYEES' SP	868 HWY 33 EAST	FREEHOLD NJ 07228			WTSB	3 700
WILLIAM V ANDREW TR	ANDREW REVOCABLE TRUST	C/O WILLIAM ANDREW	4189 W MILKY WAY UNIT #3	CHANDLER AZ 85226	WTSB	75 000
ANIMA S G R P A RUBRICA- ANIMAAMERICA	C/O BANCO DI DESIO E DELLA BRIANZA	ATTN MIDDLE OFFICE	VIA ROVAGNATI 1	20033 DESIO (MI)	WTSB	10 000
ANIMA S G R P A RUBRICA- ANIMA S G R P A RUBRICA-	ANIMAFONDATAITINO	C/O BANCO DI DESIO E DELLA BRIANZA	ATTN MIDDLE OFFICE - VIA ROV	20033 DESIO (MI)	WTSB	8 000
ANIMA S G R P A RUBRICA- ANIMA S G R P A RUBRICA-	ANIMAFONDO TRADING	C/O BANCO DI DESIO E DELLA BRIANZA	MIDDLE OFFICE - VIA ROV	20033 DESIO (MI)	WTSB	40 000
ARBORA	ULRICH REID SP	GARTENSTRASSE 38	CH 8002 ZURICH	SWITZERLAND	WTSB	22 500
JOSEPH CATALANO	203 CARNATION DRIVE	FARMINGDALE NY 11735			WTSB	12 857
CEDE & CO (FAST)	BOX #20	BOWLING GREEN STATION	NEW YORK NY 10004		WTSB	962 296
CHANEL HOLDINGS (NEVIS) LLC	ATTN PATRICK W SMITH	11445 E VIA LINDA #2-411	SCOTTSDALE AZ 85259		WTSB	35 500
CHAUSSIER INTERNATIONAL	27 RUE CARBON	75001 PARIS	FRANCE		WTSB	12 000
KEVIN CLARKE - IRA	72-10 37TH AVE #622	JACKSON HEIGHTS NY 11372-6218			WTSB	3 700
PENNY COLLINS	P O BOX 745	ALPINE NJ 07620			WTSB	8 929
SUSAN CORCORAN	18 EASTBROOK RD	HARRINGTON PARK NJ 07640			WTSB	3 500
CRESCENT INTERNATIONAL LTD	C/O CANTARA (SWITZERLAND) SA	84 AV LOUIS-CASIA	CH 1216 COINTRIN/GENEVA	SWITZERLAND	WTSB	3 780
ENABLE GROWTH PARTNERS LP	1 FERRY BLDG #255	SAN FRANCISCO CA 94111			WTSB	5 455
ENABLE OPPORTUNITY PARTNERS LP	1 FERRY BLDG #255	SAN FRANCISCO CA 92111			WTSB	1 088

JOEL GOLDSTEIN TR	MSI RETIREMENT PLAN TRUST	9229 SUNSET BLVD #710	LOS ANGELES CA 90069		WTSB	3,700
ANN M GRAHAM	11200 OLD CLUB RD	ROCKVILLE MD 20852			WTSB	3,500
GRUBER & MCBAINE INTERNATIONAL	50 OSGOOD PLACE #PH	SAN FRANCISCO CA 94133			WTSB	585
JON D GRUBER & THE GUTMAN FAMILY FOUNDATION	LINDA W GRUBER TTEES	JON D & LINDA W GRUBER TRUST	50 OSGOOD PLACE #PH	SAN FRANCISCO CA 94133	WTSB	432
RANDY S GUTTENBERG	888 SEVENTH AVE #1703	NEW YORK NY 10106-0001			WTSB	15,789
MARK R HANCOCK	36 PEBBLE BEACH DRIVE	LIVINGSTON NJ 07038			WTSB	3,500
HCFP/BRENNER SECURITIES LLC	C/O CISCO SYSTEMS	6340 S 3000 E #390	SALT LAKE CITY UT 84121		WTSB	4,200
GARY HERWITZ	15 RICHMOND HILL	NEW YORK NY 10106-0001			WTSB	44,643
GERALD F HELUPEL JR	2111 APPLE TREE LANE	IRVINGTON NY 10533			WTSB	12,500
JOHN E KRZYWICKI TTEE	JOHN E KRZYWICKI TRUST	SILVER SPRING MD 20905-4414			WTSB	15,000
PETER Z KUBIN & LAGUNITAS PARTNERS LP	MARIE E KUBIN TEN COM	198 LINCOLN ROAD	LINCOLN MA 01773		WTSB	5,000
CHRISTINE R LARSON	50 OSGOOD PLACE #PH	26 KEARNEY TERRACE	LIVINGSTON NJ 07039		WTSB	15,000
JAMES W LEES	577 CREEDON CIRCLE	SAN FRANCISCO CA 94133			WTSB	2,172
DOUG LOCKIE & WILLIAM R MARSH	8 WALNUT ST	ALAMEDA CA 94602			WTSB	7,500
J PATTERSON MCBAIN	DEBRA LOCKIE JT TEN	MARBLEHEAD MA 01945			WTSB	42,500
SCOTT MCNAIR	2810 BRENTWOOD BLVD	19267 MOUNTAIN WAY	LOS GATOS CA 95030-3070		WTSB	7,200
MERRILL A MCPHEAK	50 OSGOOD PLACE #PH	GRAND ISLAND NE 68801			WTSB	14,100
BRENDA NARCOMEY & DON E PECK & WILLIAM H PETERSON TR	967 E EAGLEWOOD DR	SAN FRANCISCO CA 94133			WTSB	299
PIERCE DIVERSIFIED STRATEGY	123 FURNACE ST	NORTH SALT LAKE CITY UT 84054			WTSB	10,600
LOUISE E REHLING TR	KEVIN O NARCOMEY TEN COM	1 BLACKFIELD DR 410	BELVEDERE TIBURON CA 94920		WTSB	1,000
RBC CAPITAL MARKETS CORP CUST	CLARICE EILEEN PECK JT TEN	1309 BALLYCLARE COURT	RALEIGH NC 27614		WTSB	39,302
ROCKMORE INVESTMENT MASTER FUND	WILLIAM H PETERSON LIV TRUST	2403 BEACH RD	WALLED LAKE MI 48390		WTSB	7,500
JEFFREY D ROSEMAN	MASTER FUND LLC ENA	1 FERRY BLDG #255	SAN FRANCISCO CA 94111		WTSB	727
MARVIN SAMUEL	LOUISE E REHLING TRUST	200 E DELAWARE PLACE APT 24F	CHICAGO IL 60611		WTSB	21,200
JONATHAN SANN	LOUISE E REHLING IRA	200 E DELAWARE PL APT 24F			WTSB	14,100
SETH A SHAPIRO & LOREN SKEIST & LOUIS S SLAGHTER	150 EAST 58TH ST - 28TH FL	NEW YORK NY 10155			WTSB	6,734
PHILLIPS W SMITH TR	22 WEST 15TH STREET	NEW YORK NY 10011			WTSB	8,929
MICHAEL SPLAIN	3500 MONTCLAIR RD	BIRMINGHAM AL 35243			WTSB	3,500
MIKE THERMOS	12415 S W 138TH AVE #2	MIAMI FL 33186			WTSB	2,100
MARC WEISS	12415 S W 138TH AVE #2	MIAMI FL 33186			WTSB	2,100
STIG WENNERSTROM & JONATHAN YOUNG TR	DARI SHAPIRO JT TEN	8095 LAUREL RIDGE CT	DELRAY BEACH FL 33448		WTSB	3,500
	MARLENE MARKO SKEIST JT TEN	50 EAST 89TH ST #30D	NEW YORK NY 10128		WTSB	21,100
	PO BOX 96	WESTON MA 02463			WTSB	30,000
	PHILLIPS W SMITH FAMILY FUND	7501 NORTH IRONWOOD DRIVE	PARADISE VALLEY AZ 85253		WTSB	71,000
	MICHAEL SPLAIN	PLEASANTON CA 94566			WTSB	99,200
	MIKE THERMOS	5482 BUSINESS DRIVE #B			WTSB	3,500
	PERSHING LLC CUST	HUNTINGTON BEACH CA 92649			WTSB	7,500
	MARC WEISS	ONE PERSHING PLAZA - 7TH FL	JERSEY CITY NJ 07399		WTSB	8,500
	STIG WENNERSTROM & JONATHAN YOUNG TR	82 FRANKLIN ST #4			WTSB	17,857
		BRIT-MARIE WENNERSTROM WROS	KEY BISCAYNE FL 33149-1716		WTSB	3,700
		JONATHAN YOUNG IRA	PORT JEFFERSON NY 11777		WTSB	3,700
						1,777,244
						57

GigaBeam Corporation
Beneficial Ownership Table

The following table sets forth certain information concerning the beneficial ownership of our common stock as of August 19, 2009, by each person and entity known by us to own beneficially more than 5% of our common stock. We have determined beneficial ownership in accordance with the rules of the SEC. Except as indicated by the footnotes below, we believe, based on the information furnished to us, that the persons and entities named in the table below have sole voting and investment power with respect to all shares of common stock that they beneficially own, subject to applicable community property laws.

Title of Class	Name of Beneficial Owner	Amount and Nature of Beneficial Ownership (1)	Percent of Class (2)
Greater-than-5% stockholders:			
Common Stock	Ameristock Corp., Wainwright Holdings, Inc. and Nicholas Gerber (3)	595,050	13.17%
Common Stock	Harvey Silverman (4)	520,172	10.6%
Common Stock	Portside Growth and Opportunity Fund (5)	1,021,015	7.8%
Common Stock	Gruber and McBaine Capital Management, LLC (6)	415,683	5.8%
Common Stock	Jon D. Gruber (6)	480,583	6.7%
Common Stock	J. Patterson McBaine (6)	454,403	6.4%
Common Stock	Eric B. Swergold (6)	415,683	5.8%
Common Stock	Mark W. Hahn (7)	1,416,667	9.7%
Common Stock	Louis S. Slaughter (8)	1,229,286	9.0%
Current Directors and Executive Officers who are also greater-than-5% stockholders:			
Common Stock	S. Jay Lawrence (9)	2,344,167	15.1%
Common Stock	Douglas G. Lockie (10)	1,564,278	11.4%
Common Stock	Don E. Peck (11)	759,670	5.4%

- (1) Represents shares with respect to which each beneficial owner listed has or will have, upon acquisition of such shares upon exercise or conversion of options, warrants, conversion privileges or other rights exercisable within sixty days of August 19, 2009.
- (2) Percentages are calculated on the basis of the amount of outstanding common stock plus, for each person or entity, any securities that such person or entity has the right to acquire within sixty days of August 19, 2009 pursuant to options, warrants, conversion privileges or other rights. On August 19, 2009, we had 13,218,806 shares of common stock outstanding.
- (3) According to a Schedule 13G filed by Ameristock Corporation, Wainwright Holdings, Inc. and Nicholas D. Gerber with the SEC on October 29, 2004, the shares of common stock reported herein as beneficially owned directly by Ameristock Corporation, an investment adviser, for its own account. Because Ameristock Corporation is a wholly-owned subsidiary of Wainwright Holdings, Inc., Wainwright Holdings, Inc. beneficially owns the shares of our common stock that are directly owned by Ameristock Corporation. In addition, because Mr. Gerber is a 42% shareholder of Wainwright Holdings, Inc. (jointly, with his spouse) and may exercise investment power with respect to the shares of our common stock owned by Ameristock Corporation, Mr. Gerber may be deemed to beneficially own the shares of common stock owned by Ameristock Corporation. Mr. Gerber expressly disclaims such beneficial ownership, except to the extent of his indirect pecuniary interest. The address of Ameristock is Post Office Box 6919, Morago,

CA 94570. The address of Wainwright Holdings, Inc. is 103 Foulk Road, Suite 202, Wilmington, DE 19803. The address of Nicholas D. Gerber is post office box 6919, Morago, CA 94570. No subsequent 13G amendments have been filed by this beneficial owner through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class listed should be 4.5% instead of the 13.17% reported by the beneficial owner.

- (4) According to a Schedule 13G filed by Mr. Silverman with the SEC on March 22, 2005, of the 520,172 shares beneficially owned by him: (i) 116,600 shares are owned by Silverman Partners, LP, a limited partnership of which he is general partner; (ii) 189,286 shares are issuable to Silverman Partners, LP, upon exercise of warrants owned by it; (iii) 89,286 shares are issuable to Silverman Partners Class D L.P., a limited partnership of which Mr. Silverman is general partner, upon the exercise of warrants owned by it; (iv) 62,500 shares are issuable upon conversion of a promissory note owned by Silverman Partners, LP and (v) 62,500 shares are issuable upon conversion of a promissory note owned by Silverman Partners Class D L.P. Although no subsequent 13G amendments have been filed by the beneficial owner through August 19, 2009, the promissory notes held by Silverman Partners, LP and Silverman Partners Class D L.P. have been converted to common stock. Additionally, we believe that as of August 19, 2009, the Percentage of Class listed should be 3.9% instead of the 10.6% reported by the beneficial owner.
- (5) According to a Schedule 13G/A filed by Portside Growth and Opportunity Fund, Ramius Enterprise Master Fund, Ramius Advisors LLC, Ramius LLC, C4S & Co., L.L.C., Peter A. Cohen, Morgan B. Stark, Thomas W. Strauss and Jeffrey M. Solomon with the SEC on February 17, 2009, Portside beneficially owns 976,259 shares of common stock. Ramius Enterprise Master Fund owns 44,756 shares of common stock issuable upon the exercise of certain warrants. Ramius Advisors, as the investment advisor of Ramius Enterprise Master Fund, may be deemed to beneficially own the shares held by Ramius Enterprise Master Fund. Ramius LLC, as the investment advisor of Portside and the sole member of Ramius Advisors LLC, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. C4S, as the managing member of Ramius LLC, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Messrs. Cohen, Stark, Strauss and Solomon, as the sole managing members of C4S, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Messrs. Cohen, Stark, Strauss and Solomon, as the sole managing members of C4S, may be deemed to beneficially own the 976,259 shares of common stock beneficially owned by Portside and the 44,756 shares of common stock currently issuable upon the exercise of certain warrants owned by Ramius Enterprise Master Fund. Each of Ramius Advisors, Ramius LLC, C4S and Messrs. Cohen, Stark, Strauss and Solomon disclaims beneficial ownership of the shares beneficially owned by Portside and Ramius Enterprise Master Fund. For purposes of the information provided in this table, we have included the shares held by Ramius Enterprise Master Fund with the shares held by Portside. No subsequent 13G amendments have been filed by this beneficial owner through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class listed should be 7.7% instead of the 7.8% reported by the beneficial owner.
- (6) According to a Schedule 13G filed by Gruber and McBaine Capital Management, LLC, Jon D. Gruber, J. Patterson McBaine and Eric B. Swergold on February 13, 2009, Gruber and McBaine Capital Management, LLC beneficially owns 415,683 shares of common stock. Jon D. Gruber beneficially owns 480,583 shares of common stock of which he shares voting and dispositive power over 415,683 shares and has sole voting and dispositive power over 64,900 shares. J. Patterson McBaine beneficially owns 454,403 shares of common stock of which he shares voting and dispositive power over 415,683 shares and has sole voting and dispositive power over 38,720 shares. Eric B. Swergold beneficially owns 415,683 shares of common stock of which he shares voting and dispositive power over the shares. Jon D. Gruber and J. Patterson McBaine are the Managers, controlling persons and portfolio managers of Gruber and McBaine Capital Management, LLC. No subsequent 13G amendments have been filed by these beneficial owners through August 19, 2009, however we believe that as of August 19, 2009, the Percentage of Class for Gruber and McBaine Capital Management listed should be 3.1% instead of the 5.8% reported; that the Percentage of Class for Jon D. Gruber should be 3.6% instead of the 6.7% reported; that the Percentage of Class for J.

Patterson McBaine should be 3.4% instead of the 6.4% reported; and that the Percentage of Class for Eric B. Swergold should be 3.1% instead of the 5.8% reported.

- (7) Mr. Hahn's beneficial ownership is comprised of 1,000,000 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 416,667 shares of common stock that are issuable upon exercise of a fully vested option with an exercise price of \$0.41 per share and an expiration date of January 31, 2018.
- (8) Mr. Slaughter's beneficial ownership is comprised of 949,286 shares of common stock, 150,000 shares of common stock held by Bittersweet Holdings, LLC, 100,000 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$12.03 per share and an expiration date of April 25, 2013, 30,000 shares that are issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011 and 250,000 shares that are issuable upon the exercise of a warrant with an exercise price of \$1.00 per share and an expiration date of April 25, 2011.
- (9) Mr. Lawrence's beneficial ownership is comprised of 1,250,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018, 937,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018, 66,667 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.63 per share and an expiration date of July 9, 2017, 40,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$9.50 per share and an expiration date of March 14, 2016, 10,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, and 40,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017.
- (10) Mr. Lockie's beneficial ownership is comprised of 1,082,078 shares of common stock, 100,000 shares of common stock that are fully vested and issuable upon the exercise of options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, 375,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 7,200 shares of common stock that are issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011.
- (11) Mr. Peck's beneficial ownership is comprised of 1,270 shares of common stock, 57,200 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$5.05 per share and an expiration date of May 13, 2014, 57,200 shares of common stock that are issuable upon the exercise of fully vested options with an exercise price of \$7.15 per share and an expiration date of May 13, 2015, 34,000 shares of common stock issuable upon the exercise of fully vested options with an exercise price of \$12.03 per share and an expiration date of June 23, 2016, 40,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017, 562,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 7,500 shares of common stock issuable upon the exercise of Z warrants with an exercise price of \$7.00 per share and an expiration date of January 28, 2011.
- (12) Mr. Widmann's beneficial ownership is comprised of 187,500 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$0.41 per share and an expiration date of January 31, 2018 and 50,000 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an exercise price of \$2.84 per share and an expiration date of May 23, 2017.
- (13) Mr. Bentivegna's beneficial ownership is comprised of 145,833 shares of common stock issuable within 60 days of August 19, 2009 upon the exercise of options with an expiration price of \$0.36 per share and an expiration date of February 12, 2008.

**MINUTES OF BOARD OF DIRECTORS
OF
GIGABEAM CORPORATION**

August 27, 2009

On this day, the directors gathered via teleconference for a meeting of the Board of Directors of GigaBeam Corporation, a Delaware corporation (the "Corporation").

I. Roll Call and Quorum

On a motion duly made and seconded, the meeting was called to order at 10:05 am, Eastern Daylight Savings Time.

The following directors, constituting a quorum, were present at the meeting:

Mr. S. Jay Lawrence, Chairman
Mr. Salvatore S. Benti
Mr. Roger M. Widmann
Mr. Doug Lockie

Also present at the meeting as guests of the Board of Directors were the following other persons:

Ms. Amy Trombly, Counsel for the Corporation
Ms. Marijke McCandless, Vice President, Corporate Communications
Mr. Shane Barton, GigaBeam Controller
Mr. Danny Astin, Ciardi, Ciardi & Astin (Bankruptcy Counsel)
Ms. Meg Augustine, Ciardi, Ciardi & Astin (Bankruptcy Counsel)
Ms. Ellie Siegel, Ciardi, Ciardi & Astin (Bankruptcy Counsel)
Mr. John Bambach, Focus Management Group (Investment Banker/Financial Advisor)

II. Approval of prior minutes from August 13, 2009.

The first order of business concerned approving the minutes from the last Board meeting.

It was duly moved and seconded with all ayes to approve the minutes from August 13, 2009.

III. Discussion of Bankruptcy

Mr. Lawrence introduced Danny Astin, bankruptcy counsel, and John Bambach, investment banker and financial advisor, to the board. Mr. Astin reviewed the Chapter 11 process in detail with the board and went over likely events during the re-structuring process. During the discussion, Mr. Astin answered questions from the Board and the

Board further discussed Mr Astin's presentation. Mr. Bambach reviewed his role in the re-structuring process particularly with regards to the 363 sale and what was expected to happen during re-structuring from his perspective. Both Mr. Astin and Mr. Bambach shared their history and experience in their relative roles with the board and went over their fees structures.

The Chairman directed the Board's attention toward the necessity of approving the bankruptcy petition. The Board discussed and considered the financial and operational aspects of the Company's business and the financial and operational aspects of GigaBeam Service Corporation, a wholly-owned subsidiary of the Company. Additionally, the Board reviewed the historical performance of the Company and GigaBeam Service Corporation, and the current and long-term liabilities of the Company and GigaBeam Service Corporation. The Board determined that, given that GigaBeam Service Corporation was an empty shell, that steps be taken to dissolve the shell. The Board also determined that it is in the Company's best interests for the Company and for GigaBeam Service Corporation (should it not be dissolved prior to the bankruptcy) to each file a voluntary petition under the provisions of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") (the "Bankruptcy Proceedings"). The Board reviewed, discussed and considered the recommendations of the senior management of the Company and professionals and advisors to the Company and GigaBeam Service Corporation as to the terms of the proposed restructuring to be implemented during the course of the Bankruptcy Proceedings.

Upon a motion by Mr. Lawrence, a second by Mr. Benti and unanimous approval of the Board, the following resolutions were adopted:

RESOLVED, that after consultation with and in reliance on the advice of management and the outside attorneys and advisors to the Company and GigaBeam Service Corporation, in the judgment of the Board, it is desirable and in the best interests of the Company and GigaBeam Service Corporation, their creditors, and other interested parties, that voluntary petitions be filed by the Company and GigaBeam Service Corporation under the provisions of chapter 11 of title 11 of the Bankruptcy Code, and that the proper officers of the Company and GigaBeam Service Corporation, or any of them (the "Officers"), move to consolidate such petitions under the Bankruptcy Code for purposes of administrative efficiencies;

RESOLVED, that the Officers are directed, authorized and empowered to execute and file on behalf of the Company and GigaBeam Service Corporation all petitions, schedules, lists, affidavits and other papers or documents, and to take any and all action which they deem necessary or proper to obtain such relief, if, in the judgment of the Officers of the Company and GigaBeam Service Corporation, the Company and GigaBeam Service Corporation is adequately prepared prior to such filings;

RESOLVED, that the Officers are directed, authorized and empowered to employ on behalf of the Company and GigaBeam Service Corporation, Ciardi Ciardi & Astin, a law firm with experience and expertise in the areas of workouts, non-bankruptcy

reorganizations and bankruptcy reorganizations in similar situations to that of the Company and GigaBeam Service Corporation;

RESOLVED, that the Officers are directed, authorized and empowered, in the name of, and on behalf of the Company and GigaBeam Service Corporation to take or cause to be taken any and all actions to execute and/or file or cause to be filed any and all documentation or pleadings, including but not limited, to (i) pleadings seeking court approval to sell all, or substantially all, of the assets of the Company and GigaBeam Service Corporation pursuant to the applicable provisions of the Bankruptcy Code, whether in furtherance of a plan of reorganization or otherwise, (ii) pleadings seeking court approval of debtor-in-possession financing, and (iii) agreements including, but not limited to, debtor in possession credit agreements, debtor in possession financing term sheets, (iv) restructuring term sheets and restructuring agreements, in each case on such terms and conditions as are available to the Company and GigaBeam Service Corporation and reasonable under the circumstances;

RESOLVED, that the Officers are directed, authorized and empowered, in the name of, and on behalf of the Company and GigaBeam Service Corporation to take or cause to be taken any and all such other and further action, and to execute, acknowledge, deliver and file any and all such instruments as each in his discretion, may deem necessary or advisable to carry out the purpose and intent of the foregoing resolutions; and

RESOLVED, that all of the acts and transactions of management and members of the Board of Directors of the Company that relate to matters contemplated by the foregoing resolutions that have been undertaken in the name and on behalf of the Company or GigaBeam Service Corporation prior to the effective date of these resolutions, are hereby in all respects confirmed, approved and ratified.

IV. Chapter 11 and Re-Structuring Financial Plan (approval of bankruptcy petition and financial plan attached)

V.

Mr. Lawrence presented a financial plan outlining the 6 week cash flow plan, 13 week plan, sales pipeline and post petition forecast. The board discussed the financial plan and considered the DIP financing and what amount of cash on hand post restructuring would be sufficient.

On Motion duly made and seconded, the board authorized Mr. Lawrence to finalize the budget to get the DIP process going.

On Motion duly made and seconded, the board authorized Mr. Lawrence to proceed with the Chapter 11 proceedings. (See document entitled "Minutes insert for Bankruptcy")

VI. D & O Insurance (Options attached)

Mr. Lawrence presented several options regarding D & O Insurance. The board discussed the options and what scenario would give adequate coverage during re-structuring and post re-structuring. Mr. Lawrence recommended Option 3, which included renewing current coverage but modifying the post re-structuring coverage to be Side A only.

On Motion duly made and seconded the board moved to accept Option 3 of Mr. Lawrence's recommendations.

VII. Retention Programs and Unpaid Salaries

The board discussed that retention programs may have to be approved by the court and could cause a delay in the proceedings. Mr. Lawrence recommended a bonus for coming out of restructuring rather than a retention program going in. Mr. Lawrence also presented his plan for handling unpaid expenses, which included some money at the start and then a pool based on excess cash in the bank to draw from. The board agreed with his plan. Mr. Astin advised he would look into whether the court needed to approve it.

VIII. Next Board Meeting

Specific dates for the next one or two board meetings were not set, but it was agreed that the board members should keep their schedule open for a potential board meeting immediately prior to filing for Chapter 11, which is estimated for late on August 31, 2009 and for a follow up meeting after First Day Motions a couple days after filing.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Samuel J. Lawrence
Secretary of the Corporation


**United States Bankruptcy Court
District of Delaware**

In re **GigaBeam Corporation** Debtor(s) Case No. _____
Chapter **11**

VERIFICATION OF CREDITOR MATRIX

I, the Chief Executive Officer of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **September 1, 2009**


/s/ Samuel J. Lawrence
Samuel J. Lawrence/Chief Executive Officer
Signer/Title

GigaBeam Corporation
4915 Prospectus Drive
Suite H
Durham, NC 27713

Accountants Inc.
12516 Collections Center Dr.
Chicago, IL 60693

Andreas Perez
131 Washington Pl
Apt 1L
Passaic, NJ 07055

Mary E. Augustine
Ciardi Ciardi & Astin
One Commerce Square, Suite 1930
2005 Market Street
Philadelphia, PA 19103

Accountemps
12400 COLLECTIONS CENTER DR
Chicago, IL 60693

Anthony Beseau
12629 Council Oak Drive
Waldorf, MD 20601

2100v
3388 Merlin Rd. STE 400
Grants Pass, OR 97526

ACP TCP Place Owner LLC
444 Brickell Avenue, Ste. 900
Miami, FL 33131

Arrow Electronics, Inc.
P.O. Box 350090
Boston, MA 02241-0590

32 Sixth- Rudin MGMT
GACC RE:
Company LLC DEP A/C
GPO BOX 26763
New York, NY 10087-6763

Advance Probing Systems INC
P.O. Box 17548
Boulder, CO 80308-0548

Arturo Aguilar
14804 Bell Manor Ct
Balch Springs, TX 75180

3C SYSTEMS COMPANY
16161 VENTURA BLVD STE 815
Encino, CA 91436

ADVANCED MEDIA PRODUCTIONS
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Natick, MA 01720

AT & T - 871032901
P.O. Box 6463
Carol Stream, IL 60197-6463

3Gmetalworx, Inc
101 Planchet Road #1
Concord
Ontario, Canada L4K2C6

Air Force Mechanical Inc
7805 NW 99 St
Hialeah Gardens, FL 33016

AT & T Mobility - 870848574
P.O. Box 6463
Carol Stream, IL 60197-6463

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345 PARK AVE
New York, NY 10154

Airgas National Welders
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Charlotte, NC 28260-1985

AT & T- 40840080007389
Payment Center
Sacramento, CA 95887-0001

80 PINE ST
345 PARK AVE
New York, NY 10154

Alpha Omega Wireless, Inc
4804 Granite Drive
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Rocklin, CA 95677

AT&T Teleconference Services
P.O. Box 2840
Omaha, NE 68103-2840

ABHIJIT GANGULI
36 EASTHAM CT
Scotch Plains, NJ 07076

Also See Attached Schedule G AddendumAtlantic Distribution Group LLC
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Ellicott City, MD 21042

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Board of Equilization
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1210 Kentucky Derby Drive
Bartonville, TX 76226

Barton, Shane
2018 Catskill Court
Apex, NC 27523

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Greensboro, NC 27410

Cable Connection
102 Cooper Ct.
Los Gatos, CA 95032-7604

BCMF Trustees LLC
275 Seveth Avenue Suite 2000
New York, NY 10001

Brassfield Storage
2144 Page Road STE 101
Durham, NC 27703

Cable Partners Europe LLC
600 South Cherry Street
Suite 525
Denver, CO 80246

BDO Seidman LLP
PO Box 642743
Pittsburgh, PA 15264

Breland, Tony
1305 Ballyclare Ct
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3308 El Camino Avenue
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Bea Franke
2809 San Juan Blvd
Belmont, CA 94002

Bryan Cave LLP
700 13th St NW
Washington, DC 20005-3960

California Employee Development C

Benti & Associates, LLC
13152 Winstanley Way
San Diego, CA 92130

Bujgoi, Robert
Intr. Dr. Iacob Felix nr.2
BL.M4, SC.A, Et.3, AP27 Sector 1
Bucharest, Romania 11042

Career Foundations, Inc
Westchase III
4011 Westchase Blvd., Suite 270
Raleigh, NC 27607

Bidnet
20A Railroad Avenue
Albany, NY 12205

Burdette Smith Group
4035 Ridge Top Rd STE 550
Fairfax, VA 22030-7411

Carey, William
408 E Dudley Ave
Westfield, NJ 07090

Caroline B. Kahl
1907 Windsor Road
Alexandria, VA 22304

COMMONWEALTH OF MASSACHUSETTS CSC
CORPORATIONS DIVISION - PO Box 13397
SECRETARY OF THE COMMONWEALTH Philadelphia, PA 19101-3397
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Revenue Administration Div.
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Baltimore, MD 21297

CTE
NTract Telecommunication Eng LTD
1212 Austin Avenue
Coquitlam, British Columbia V3K3P5 C

Centrivity- A Digicon Company
9601 Blackwell Rd STE 250
Rockville, MD 20850

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