

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE LORAZEPAM AND
CLORAZEPATE ANTITRUST
LITIGATION

CASE NUMBER MDL 1290
Misc. No. 99-276 (TFH/JMF)

ADVOCATE HEALTH CARE,
ST. CHARLES HOSPITAL and
REHABILITATION CENTER, DIK DRUG
COMPANY and HARVARD PILGRIM
HEALTH CARE, INC., and On Behalf
of Themselves and On Behalf of All Similarly
Situated Direct Purchasers of Generic
Lorazepam and Clorazepate Tablets,

Plaintiffs,

v.

MYLAN LABORATORIES, INC.,
MYLAN PHARMACEUTICALS, INC.,
UDL LABORATORIES, INC., CAMBEX
CORPORATION, GYMA LABORATORIES
OF AMERICA, INC., and SST CORPORATION,

Defendants.

) CASE NUMBER 1:99-CV-00790
) CONSOLIDATED WITH
) CASE NUMBER 99 C2228
)
) U.S. DISTRICT COURT FOR THE
) NORTHERN DISTRICT OF
) ILLINOIS
)
) JUDGE: THOMAS F. HOGAN

FILED

JUN 13 2001

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

NANCY M.
MAYER-WHITTINGTON
CLERK

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U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

**STIPULATION AND ORDER
AMENDING SETTLEMENT AGREEMENT AND
PRELIMINARY APPROVAL ORDER**

WHEREAS the Court has postponed until June 14, 2001 the hearing on
class certification and the motion by the non-settling Defendants to dismiss the
complaint, and

WHEREAS Plaintiffs and defendant SST Corporation ("SST")
accordingly wish to postpone the provision of notice of their proposed settlement notice
so that such notice may be combined, if possible, with other notice to the purported class

in the context of potential class certification or a settlement with other defendants in this Action and to defer other provisions of their settlement to avoid potentially unnecessary expenditure of resources,

IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiffs and SST, through their undersigned counsel:

1. Paragraphs 6 and 7 of the Order Conditionally Certifying Settlement Class and Preliminarily Approving Proposed Settlement Between Plaintiffs, the Settlement Class, and Defendant SST Corporation dated April 27, 2001 (the "Preliminary Approval Order") shall be deleted and the following paragraphs shall replace them:

6. Class Counsel may defer notice of the proposed settlement until the "Notice Date," which shall be the earlier of: (i) such time as the notice may be combined with other notice to the purported class in the context of potential class certification or a proposed settlement with other defendants in this Action, or (ii) July 31, 2001.

7. On or before June 29, 2001, Class Counsel and Counsel for SST shall jointly submit a proposed Notice and proposed Summary Notice for the Court's approval. If the Parties cannot agree on the form of such notices, the Parties shall submit the issue for the Court for its binding, non-appealable resolution.

2. The foregoing paragraphs shall also replace paragraphs VII(A)(4) & (5) of the Stipulation of Settlement Between Plaintiffs and SST Corporation, dated February 6, 2001 (the "Stipulation of Settlement").

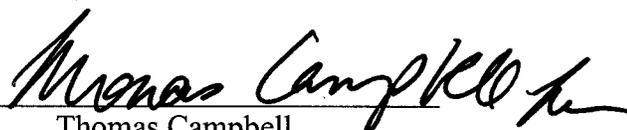
3. Paragraph III(D)(3) of the Stipulation of Settlement shall be deleted and replaced by the following:

3. No later than fifteen (15) days prior to the date that general fact discovery recommences, SST will

provide Plaintiffs a schedule for interviews of the
aforementioned persons who remain in the employ of SST.
Within a reasonable period of time thereafter, SST will
provide a schedule for interviews of any of the remaining
persons who agree to be interviewed.

Date: May ~~23~~²⁴, 2001

GARDNER, CARTON & DOUGLAS

By: 
Thomas Campbell
521 North Clark Street
Suite 300
Chicago, Illinois 60610-4795

-and-

**COHEN, MILSTEIN, HAUSFELD &
TOLL, P.L.L.C.**

By: 
Linda P. Nussbaum
825 Third Avenue
30th Floor
New York, New York 10022-7519
(212) 838-7797

Counsel for Plaintiffs

Date: May 23, 2001

**PAUL, WEISS, RIFKIND,
WHARTON & GARRISON**

By: 
Sidney S. Rosdeitcher
1285 Avenue of the Americas
New York, New York 10019-6064
(212) 373-3000

Counsel for SST Corporation

So Ordered:


United States District Judge
John F. Rooney
May 29, 2001

CERTIFICATE OF SERVICE

I, Mary N. Strimel, certify that on May 25, 2001, I caused a true and correct copy of the foregoing Stipulation and Order Amending Settlement Agreement and Preliminary Approval Order were hand delivered to:

Joseph J. Simons, Esq.
Clifford Chance Rogers & Wells
607 - 14th Street, N.W.
Washington, D.C. 20005

and served by first class mail, postage prepaid on the following counsel of record:

James B. Weidner
David K. Park
Dennis J. Drebsky
Clifford Chance Rogers & Wells, LLP
200 Park Avenue
New York, NY 10166
Attorneys for the Mylan Defendants:

Gary W. Kubek
Christopher K. Tahbaz
DeBevoise & Plimpton
875 Third Avenue
New York, NY 10022
Attorneys for Cambrex Corp. and Profarmaco S.r.l.

Irving Scher
Weil Gotshal & Manges, LLP
767 Fifth Avenue
New York, NY 10153
Attorneys for Gyma Laboratories of America, Inc.

Sidney S. Rosdeitcher
Robert Kravitz
Paul Weiss Rifkind Wharton & Garrison
1285 Avenue of the Americas
New York, NY 10019
Attorneys for SST Corporation

Randall David Marks, Esq.
Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
First Floor
Washington, DC 20580
Attorneys for Federal Trade Commission

Mitchell L. Gentile
State of Ohio Attorney General's Office
Antitrust Section
140 East Town Street
Columbus, Ohio 43215
Lead Counsel for State Attorneys General

Bernard Persky
Goodkind Labaton Rudoff & Sucharow, LLP
100 Park Avenue
New York, NY 10017
Co-Lead Counsel for Indirect Purchaser Plaintiffs

Robert S. Schachter
Joseph Tusa
Zwerling Schachter & Zwerling, LLP
767 Third Avenue
New York, NY 10017
Co-Lead Counsel for Indirect Purchaser Plaintiffs

Mary N. Strimel

Mary N. Strimel *RS*