

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

*In re LORAZEPAM & CLORAZEPATE  
ANTITRUST LITIGATION*

This Document Relates to:

ADVOCATE HEALTH CARE;  
ST. CHARLES HOSPITAL &  
REHABILITATION CENTER; DIK DRUG  
COMPANY and HARVARD PILGRIM  
HEALTH CARE, INC., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

MYLAN LABORATORIES, INC., *et al.*

Defendants.

MDL No. 1290 (TFH)  
Misc. No. 99ms276  
Judge Thomas F. Hogan

**FILED**

SEP 28 2001

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

Case No.: 1:99cv00790  
Consolidated with  
Case No.: 99 c 2228  
(U.S. District Court for the  
District of Illinois)

**JOINT STIPULATION AND [PROPOSED] ORDER  
FOR MODIFICATION OF  
NOTICE OF PENDENCY OF CLASS ACTION**

Class Plaintiffs and Defendants jointly submit this Stipulation and Order for Modification of Notice of Pendency of Class Action.

On August 16, 2001, the Court approved the parties' Stipulation and Order for Notices of Pendency of Class Action and SST Settlement ("Stipulation"). The Stipulation attached copies of, *inter alia*, the Notice of Pendency of Class Action ("Notice") in both long form and summary form. The parties submit this Stipulation in order to revise and clarify one aspect of the Notice.

The litigation class certified by the Court on July 2, 2001 includes direct purchasers of lorazepam and/or clorazepate "during the period January 12, 1998 through the present." Order, July 2, 2001. Thus, direct purchasers who purchased between January 12, 1998 and July 2, 2001

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(the date of the Order) are members of the certified class.

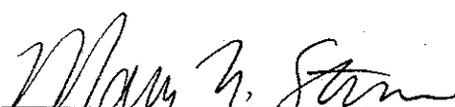
The parties stipulate and agree to set forth explicitly the July 2, 2001 closing date for class membership in the long form and short form Notice. For the Court's approval, the parties therefore submit, attached hereto, revised copies of the long form and short form Notice and the cover letter to class members. These papers are identical<sup>1</sup> to the papers approved by the Court on August 16, except that the phrase "January 12, 1998 through the present" is replaced with "January 12, 1998 through July 2, 2001" in the class definition and other places that it appears. For the Court's convenience these changes are denoted by underscoring.

So that the Plaintiffs can meet the submission deadlines for the various publications, the parties respectfully ask the Court to approve this Stipulation by Tuesday, August 28.

Dated: August 22, 2001

AGREED TO:

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

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<sup>1</sup> Another very minor change is that the proposed cover letter to class members now includes all four plaintiff firms as signatories.

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**COUNSEL FOR CAMBREX CORPORATION AND PROFARMACO S.r.l.**

SO ORDERED:

  
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U.S. District Judge Thomas F. Hogan

DATED: 8/21/01