

FILED
FEB 24 2000
Judge
THOMAS E. HONAN

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FEB 23 2000 JUDGES COPY

IN RE:
VITAMINS ANTITRUST LITIGATION

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT
M.D.L. No. 1285
NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT
FEB 23 2000
Misc. No. 99-0197 (TFH)

This Document Relates to:
TYSON FOODS, INC., ET AL.,
BLUE SEAL FEEDS, INC., ET AL.,
CACTUS OPERATING LTD., ET AL.,
SOUTHERN STATES COOPERATIVE,
INC., ET AL.,
MARSHALL DURBIN FARMS,
INC., ET AL.,
THE QUAKER OATS COMPANY, ET AL.,
CARGILL, INC., ET AL.,
KELLOGG COMPANY,
HORMEL FOODS, INC., ET. AL.,
PROCTER & GAMBLE, INC., ET. AL.,
MEIJER, INC., ET AL.,
NUTRA-BLEND, LLC,
NBTY, ET AL.

Docket No. 99-2681 TFH
Docket No. 99-2683 TFH
Docket No. 99-2684 TFH
Docket No. 99-2685 TFH
Docket No. 99-2682 TFH
Docket No. 99-1972 TFH
Docket No. 99-5167 TFH
Docket No. 99-1996 TFH
Docket No. 99-1780 TFH
Docket No. 99-3046 TFH
Docket No. 99-789
Docket No. 99-197
Docket Nos. 99-2372 TFH
99-2411 TFH
99-2682 TFH
99-09832 JSL

~~[Proposed]~~ JH

STIPULATED ORDER AMENDING BRIEFING SCHEDULE FOR NON-JURISDICTIONAL MOTIONS TO DISMISS AND MOTIONS TO SEVER

WHEREAS certain defendants¹ filed non-jurisdictional motions to dismiss, which break down into the following two categories: (1) those attacking the fraudulent concealment allegations; and (2) those attacking the breadth of the conspiracy alleged, and

WHEREAS oppositions to the non-jurisdictional motions are due February 24, 2000,

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that in order to facilitate the filing of consolidated and/or coordinated briefs, the above-captioned Plaintiffs will file on or before February 24, 2000, their opposition(s) to the motions to dismiss insofar as those motions address the fraudulent concealment allegations. The moving defendants will file their reply(ies) on or before March 10, 2000.

For all other issues raised in the motions to dismiss, *e.g.* that the conspiracy is improperly pleaded, the above-captioned Plaintiffs will file their opposition(s) on or before March 3, 2000. In their opposition(s) thereto, the above-captioned Plaintiffs will also address any requests to sever made by any of the moving defendants. Defendants' reply(ies) will be filed on or before March 17, 2000.

¹ The moving defendants are: Ducoa LP, DCV, Inc, J.L. Fischer, Lindell Hilling, E.I. DuPont de Nemours, Akzo Nobel, Inc., ConAgra Inc., UCB Inc., Reilly Industries, Inc., Chinook Group Ltd., Chinook Group, Inc., Lonza, Inc., EM Industries, Inc., and Degussa-Huls Corporation.

DATED: February 23, 2000

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

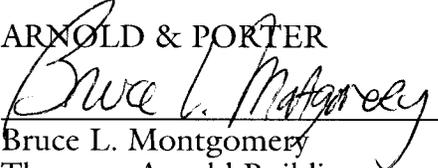


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On Behalf of Plaintiffs in the Above-Captioned Cases

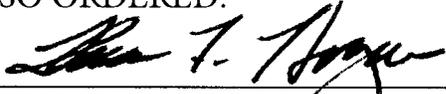
ARNOLD & PORTER




Bruce L. Montgomery
Thurman Arnold Building
555 Twelfth Street, N.W.
Washington, D.C. 20004-1202

On Behalf of All Defendants

SO ORDERED:



THOMAS F. HOGAN
UNITED STATES DISTRICT JUDGE

Feb - 24, 2000