

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 20 2000

NANCY MAYER-WHITTINGTON, CL
U.S. DISTRICT COURT

IN RE:)

) M.D.L. No. 1285

VITAMINS ANTITRUST LITIGATION)

) Misc. No. 99-0197 (TFH)

THIS DOCUMENT RELATES TO:)

HILL'S PET NUTRITION, INC.,)

) Plaintiff,)

v.)

F. HOFFMAN LAROCHE, LTD., et al.,)

) Defendants.)

**STIPULATION AND ORDER REGARDING
UCB, INC.'S MOTION TO DISMISS**

Hill's Pet Nutrition, Inc. ("Hill's Pet") and UCB, Inc. hereby stipulate as follows:

1. UCB, Inc. hereby withdraws its pending Motion to Dismiss the above-captioned complaint to the extent it is based on lack of personal jurisdiction.
2. UCB, Inc. agrees not to raise lack of personal jurisdiction by way of motion or as a defense in this action provided that this action remains in federal court.
3. In so doing, UCB, Inc. does not waive in any way the defense of lack of personal jurisdiction in the event that this action is ever filed or adjudicated in any state court in Kansas.

(2)

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4. UCB, Inc.'s Motion to Dismiss the above-captioned complaint, to the extent not withdrawn by this stipulation, is denied for the reasons set forth in the Court's July 14, 2000 Memorandum Opinion denying the motion to dismiss of Degussa-Hul's Corp.

Submitted and Agreed to this 17 day of October, 2000 by:



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Counsel for UCB, Inc.

SO ORDERED this 19 day of October, 2000:

