

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAR 20 2001

IN RE:)	M.D.L. No. 1285	NANCY MAYER WHITTINGTON, CLERK U.S. DISTRICT COURT
VITAMINS ANTITRUST LITIGATION)	Misc. No. 99-0197 (TFH)	
_____)		
This Document Relates To:)		
)		
BLUE SEAL FEEDS, INC., ET AL.,)	Docket No. 99-2683 (TFH)	
v. AKZO NOBEL, INC., ET AL.)		
_____)		

**STIPULATION LIMITING CLAIMS BY AND DISCOVERY AGAINST
PLAINTIFFS PURINA MILLS, INC., AND CAMPBELL SOUP COMPANY**

WHEREAS Plaintiffs Purina Mills, Inc. ("Purina") and Campbell Soup Company ("Campbell") have settled and dismissed all their claims against Defendants in the above-captioned litigation, except for certain claims arising from their purchases of choline chloride; and

WHEREAS on September 14, 2000, the Court entered an Order effectuating such dismissals; and

WHEREAS the parties wish to make clear the extent of Purina's and Campbell's remaining claims, and the scope of discovery applicable to such remaining claims;

IT IS HEREBY STIPULATED AND AGREED that:

1. The only claims in dispute between Defendants, on the one hand, and Purina on the other hand, are Purina's claims, if any, arising from an alleged conspiracy solely involving choline chloride, and the allegations of the Blue Seal Feeds Inc. complaint shall be deemed amended with respect to Purina to reflect the same as against Defendants BASF Corp.; BASF A.G.; UCB, Inc.; UCB Chemicals Corp.; UCB S.A.; Chinook Group, Inc.; Chinook Group Ltd.;

Bioproducts Incorporated; Mitsui & Co. (USA), Inc.; DCV, Inc.; DuCoa; DuCoa, L.P.; E.I. du Pont de Nemours & Co.; and ConAgra, Inc. ; and

2. The only claims in dispute between Defendants, on the one hand, and Campbell, on the other hand, are Campbell's claims, if any, arising from an alleged conspiracy solely involving choline chloride, and the allegations of the Blue Seal Feeds Inc. complaint shall be deemed amended with respect to Campbell to reflect the same as against Defendants UCB, Inc.; UCB Chemicals Corp.; UCB S.A.; Chinook Group, Inc.; Chinook Group Ltd.; Bioproducts Incorporated; Mitsui & Co. (USA), Inc.; DCV, Inc.; DuCoa; DuCoa, L.P.; E.I. du Pont de Nemours & Co.; and ConAgra, Inc; and

3. Purina and Campbell stipulate that they will not assert in this litigation or any other that defendants participated in any antitrust conspiracy involving vitamins¹ other than choline chloride; provided however that this stipulation shall not affect the rights of any plaintiffs other than Purina and Campbell to make such assertions.

4. Purina and Campbell stipulate that they will not in this litigation or any other similar or related litigation involving vitamins seek damages other than for their respective purchases of choline chloride from defendants; provided however that this stipulation shall not affect the rights of any plaintiffs other than Purina and Campbell to seek other damages.

¹ "Vitamins" is defined for the purposes of this stipulation to mean any commercially available form of: (a) vitamin A, vitamin B and all B-Complex series of vitamins (including but not limited to vitamins B1, B2, B5, B6, B9 (also known as folic acid), and B12), vitamin B3 (including niacin, niacinamide or nicotinic acid), vitamin C, vitamin D, vitamin E, beta-carotene, biotin (also known as vitamin H), vitamin K, vitamin B4, or choline chloride, for human or animal consumption; (b) vitamin premixes or vitamin concentrates containing or incorporating all or any of the vitamins identified in subparagraph (a); (c) other bulk vitamin products that contain or incorporate all or any of the vitamins identified in subparagraph (a); and (d) all raw materials or intermediates used to manufacture any vitamin identified in subparagraph (a).

5. Except as provided in paragraph 6 below, Purina and Campbell will continue to be obligated to:

(a) produce all documents requested by Defendants in their outstanding Requests for Production of Documents as modified by the parties' agreement arising from the meet-and-confer and memorialized in the Memorandum to Andrew S. Marovitz and All Defendants' Counsel from Glynnna Freeman, dated May 10, 2000;

(b) provide other forms of pretrial discovery with respect to their claims arising from an alleged conspiracy solely involving choline chloride; and

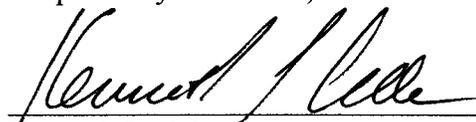
(c) produce all documents upon which Purina and Campbell intend to rely for proof of their claims.

6. Purina and Campbell will not be obligated to produce any documents or provide other forms of pretrial discovery evidencing or relating to purchases of vitamins other than choline chloride unless such documents also relate to their claims against the above-named Defendants as restated in plaintiffs' amended complaints under paragraphs 1 and 2.

7. Defendants do not waive any rights to discovery of documents that Purina and/or Campbell intend to use to prove their claims.

8. Purina and Campbell will produce all documents by May 1, 2001 and will promptly provide dates for their 30(b)(6) depositions to be taken in June.

Respectfully submitted,



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Counsel for ConAgra, Inc. and, for
Purposes of this stipulation, on behalf of
the following: BASF Corporation,
BASF AG; UCB, Inc.; UCB Chemicals
Corp.; Chinook Group, Inc.; Bioproducts
Incorporated; Mitsui & Co. (USA), Inc.;
DCV, Inc.; DuCoa; DuCoa, L.P.;
and E.I. du Pont de Nemours & Co.

SO ORDERED, this 20 day of August, 2001

Steven F. Hoyer
United States District Judge