

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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IN RE: )  
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VITAMINS ANTITRUST LITIGATION )  
\_\_\_\_\_)  
This Document Relates to: )  
 )  
All Actions )  
\_\_\_\_\_)

M.D.L. No. 1285

Misc. No. 99-0197 (TFH)

**FILED**

**JUL 13 2001**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

MAILED  
CLERK  
DISTRICT COURT  
JUL 13 2001  
11:45 AM

**AMENDED AND CORRECTED STIPULATION AND PROPOSED ORDER**  
**REGARDING EXTENSION OF TIME TO FILE**  
**NOTICES OF RATIFICATION, TO SUPPLEMENT COMPLAINTS,**  
**AND TO RE-FILE MOTIONS FOR LEAVE TO AMEND**

WHEREAS this Court's June 7, 2001 Memorandum Opinion and Order Re Joint Motion to Dismiss ("Order") grants Plaintiffs 20 days from the date of the Order to supplement their complaints to add the necessary allegations to make explicit the relationships between the United States parent companies and their foreign subsidiaries, and

WHEREAS, the Order grants Plaintiffs 10 days from the date of the Order to file formal notifications of ratification, and

WHEREAS, Plaintiffs received the Order on June 12, 2001, and

WHEREAS, certain Plaintiffs have filed motions for leave to file amended complaints,<sup>1</sup> and Defendants have filed oppositions thereto, and

<sup>1</sup> Motions for leave to amend are pending in the following cases: (1) Cargill Inc., et al. v. F. Hoffmann-La Roche Ltd., Docket No. 99-0197 (TFH); (2) Blue Seal Fees, Inc., et al., Docket No. 99-2683 (TFH); (3) Tyson Foods, Inc., et al., Docket No. 99-2681 (TFH); (4) Cactus Operating Ltd., et al., Docket No. 99-2684 (TFH); (5) Countrymark Cooperative Inc. et al., Docket No. 00-234 (TFH); (6) Southern States Cooperative, Docket No. 99-2685 (TFH); (7) Marshall Durbin Farms Inc. et al., Docket No. 99-2682 (TFH); (8) The Quaker Oats Company, et al., Docket No. 99-1972 (TFH), and (9) Kellogg Company v. BASF AG, et al., Docket No. 99-1996 (TFH).

WHEREAS, Plaintiffs erroneously filed on June 13, 2001, an incorrect version of the stipulation,

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the parties in the above-captioned matters, that the deadline for filing the formal notices of ratification shall be extended to June 29, 2001.

IT IS FURTHER STIPULATED AND AGREED that the deadline for supplementing the Complaints shall be July 2, 2001 and that plaintiffs shall serve on or before July 10, 2001, blacklined versions of their proposed amendments compared against the currently operative complaint.

IT IS FURTHER STIPULATED AND AGREED that Plaintiffs, other than Kellogg, will withdraw their pending motions for Leave to File Amended Complaints and re-file them on or before July 2, 2001 to reflect the changes necessary to comply with the Order.

IT IS FURTHER STIPULATED AND AGREED that Defendants shall have until August 10, 2001, to oppose or otherwise respond to Plaintiffs' supplemented complaints and any re-filed motions; and that if any answer is required to plaintiffs' supplemented or amended complaints, it shall only be required to the extent the supplemented or amended complaint contains new allegations.

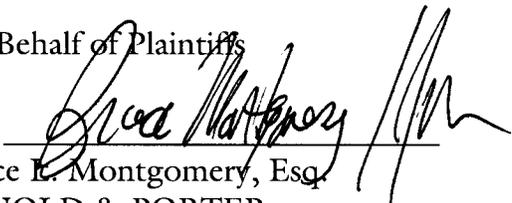
IT IS FURTHER STIPULATED AND AGREED that this Stipulation and Proposed Order expressly supersedes the Stipulation and Proposed Order Regarding Extension Of Time To File Notices Of Ratification, Supplement Complaints, and to Re-File Motions For Leave To Amend filed on June 13, 2001, and signed by the Court on June 18, 2001.

Respectfully submitted,

By: 

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On behalf of Defendants

Dated: July 11, 2001

  
The Honorable Thomas F. Hogan  
United States District Judge

**CERTIFICATE OF SERVICE**

I, Jennifer Norton, hereby certify that on this 9th day of July, 2001, I served true and correct copies of the Amended And Corrected Stipulation And Proposed Order Regarding Extension Of Time To File Notices Of Ratification, To Supplement Complaints, And To Re-File Motions For Leave To Amend by hand upon the Clerk of the Court and electronically upon counsel of record in the above proceeding, utilizing the Verilaw electronic service procedure pursuant to the 5/17/00 Stipulated Order Regarding Electronic Service.



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