

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

In re: Vitamins Antitrust Litigation)
_____)

MDL No. 1285
Misc. No. 99-0197 (TFH)

This document relates to:)
_____)

ALL CLASS ACTIONS)
_____)

FILED

DEC 13 2001

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

**ORDER
ON CLASS PLAINTIFF'S MOTION FOR LEAVE TO DISTRIBUTE
CHOLINE CHLORIDE SETTLEMENT FUNDS**

On May 30, 2001, this Court approved the final distribution of the Vitamins Settlement Fund to the members of the Vitamins Products Settlement Class whose claims were determined to be complete by the Claims Administrator. No distribution from the Choline Chloride Settlement Fund, created from a payment by BASF, has yet been made to purchasers of Choline Chloride. The Claims Administrator has now completed the auditing of claims against the Choline Chloride Settlement Fund by the Choline Chloride Settlement Class.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The procedures used and actions taken by the Claims

Administrator and Class Plaintiff's Counsel, as described in Class Plaintiff's accompanying memorandum, for administration of the settlement and claims procedure, and audit of claims are fair and reasonable and are hereby adjudged to have been proper and complete, and the administrative determinations of the

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Claims Administrator, as reflected in the Affidavit of Anthony Fazzino and its attachments in this matter are approved.

2. Any taxes due to the Internal Revenue Service shall be paid from the Settlement Fund before its final distribution to claimants.

3. \$131,242.92 of the expert fees incurred before March 1, 2000 is awarded to pay the experts.

4. Costs of \$192,471.28 are awarded to pay fees of the Claims Administrator and Tax Preparer.

5. After the payments named in Paragraph 2-4 and any other Court-approved payments have been completed, the Choline Chloride Settlement Fund, in the amount of \$4,918,959.80 plus any additional earnings accrued up to the date of distribution shall be distributed to the approved claimants, according to the principles set forth in the Plan of Distribution.

6. The Claims Administrator is authorized to prepare checks consistent with the Proposed Distribution. The approved distribution shall be made as soon as reasonably possible.

7. The checks for this distribution shall bear the notation, "Non-Negotiable After 120 Days" and no checks shall be negotiated in the Settlement Fund more than 140 days after the date of the checks.

8. All parties and Class Plaintiffs' Counsel and their agents are released from any liability in connection with the processing of the Proofs of Claim and the distribution of the Choline Chloride Settlement Fund except for any proven gross or willful misconduct.

9. Class Plaintiffs' Counsel shall confirm to the Court that all procedures set forth above for distribution have been followed, within 30 days after distribution.

10. The Court reserves jurisdiction over all matters relating to further distribution of the Settlement Fund, administration and consummation of the terms of the settlements.

Dated: ~~October 18,~~ ^{December 12,} 2001


THOMAS F. HOGAN
United States District Judge