

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUN 27 2002

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

IN RE:)

VITAMINS ANTITRUST LITIGATION)

M.D.L. No. 1285

Misc. No. 99-0197 (TFH)

THIS DOCUMENT RELATES TO:)

BLUE SEAL FEEDS, INC., ET AL.,)
v. BASF AG, ET AL.)

Docket No. 99-2683 (TFH)

CACTUS OPERATING, LTD., ET AL.,)
v. BASF AG, ET AL.)

Docket No. 99-2684 (TFH)

COUNTRYMARK COOPERATIVE, INC.,)
ET AL., v. BASF AG, ET AL.)

Docket No. 00-234 (TFH)

HORMEL FOODS CORPORATION, ET AL.,)
v. BASF AG, ET AL.)

Docket No. 99-1780 (TFH)

MARSHALL DURBIN FARMS, INC., ET AL.,)
v. BASF AG, ET AL.)

Docket No. 99-2682 (TFH)

SOUTHERN STATES COOPERATIVE, INC.,)
ET AL., v. BASF AG, ET AL.)

Docket No. 99-2685 (TFH)

TYSON FOODS, INC., ET AL.,)
v. BASF AG, ET AL.)

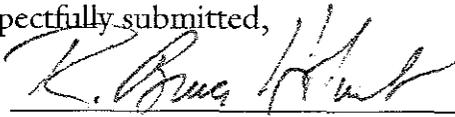
Docket No. 99-2681 (TFH)

**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE OF CLAIMS OF
PLAINTIFFS AGAINST DEFENDANT NEPERA, INC.**

Pursuant to Federal Rule of Civil Procedure 41(a), it is hereby stipulated and agreed that all claims in the above-captioned cases of the Plaintiffs listed in Exhibit 1 hereto (the "DSMO Plaintiffs") are dismissed with prejudice as against Defendant Nepera, Inc. This Stipulated Order is

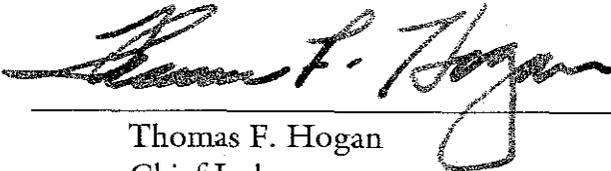
without prejudice to the DSMO Plaintiffs' claims against any other defendants or alleged co-conspirators in the above-captioned cases.

DATED ^{June 26} ~~May~~ __, 2002

Respectfully submitted,
By: 
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R. Bruce Holcomb
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Counsel for Plaintiffs Listed in Exhibit 1

By: 
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Counsel for Defendant Nepera, Inc.

So Ordered:


Thomas F. Hogan
Chief Judge
June 26, 2002

LIST OF SETTLING PLAINTIFFS

1. Agri Beef Co., an Idaho corporation
2. Agri-King, Inc., an Illinois corporation
3. Alabama Farmers Cooperative, Inc., a cooperative formed under the laws of Alabama
4. Alan Ritchey, Inc. d/b/a Martindale Feed Mill, a Texas corporation
5. Allen's Hatchery, Inc., a Delaware corporation
6. Amistad Feeders, Inc. d/b/a Southwest Feed Yards, a New Mexico corporation
7. Animal Nutrition Systems, an Arizona corporation
8. Animix, LLC, a Wisconsin corporation
9. Arkat Feeds, Inc., an Arkansas corporation
10. B.C. Rogers Poultry, Inc., a Mississippi corporation (subject to the approval of the relevant United States Bankruptcy Court)
11. Benedict Feeding Co., an Arizona corporation
12. Big Gain, Inc., a Minnesota corporation
13. Blair Milling & Elevator Co., Inc., a Kansas corporation
14. Blue Seal Feeds, Inc., a Delaware corporation
15. Branch Properties, Inc. d/b/a Seminole Feed and Seminole Stores, a Florida corporation
16. Braswell Milling Company d/b/a Braswell Foods, a North Carolina corporation
17. Cactus Operating, Ltd., a Texas limited partnership (including Cactus Feeders, Inc.)
18. Cagle's Farms, Inc., a Georgia corporation (including Cagle's, Inc.)
19. Cagle Foods JV, LLC, a Delaware limited liability company
20. Cal-Maine Foods, Inc., a Delaware corporation
21. Campbell Soup Company, a New Jersey corporation
22. Case Foods, Inc., a Delaware corporation
23. Cenex Harvest States Cooperatives, a Minnesota corporation
24. Central Farm Supply, Inc., an Ohio corporation
25. Central Industries, Inc., a Mississippi cooperative corporation
26. Choctaw Maid Farms, Inc., a Mississippi corporation
27. Chorney Chemical Company, a Canadian corporation
28. Circle S Ranch, a North Carolina corporation
29. Cocanougher Feed Co. Inc., a Texas corporation
30. Coharie Farms, a North Carolina corporation (including Coharie Mill and Supply Co, Inc.)
31. ContiGroup Companies, Inc. f/k/a Continental Grain Company, a Delaware corporation
32. Countrymark Cooperative, Inc., an Ohio cooperative corporation
33. Dawe's, LLC, a Delaware limited liability company (including Dawes, Inc.)
34. DeKalb Feeds, Inc., an Iowa corporation
35. Diamond Cross, LLC, a Texas limited liability company, as successor-in-interest to Diamond Cross, Inc., a Texas corporation
36. Eagle Milling Company, Inc., an Arizona corporation
37. Eastern Minerals, Inc., a North Carolina corporation
38. Evergreen Mills, Inc. (merged with and into Kent Feeds, Inc. on 9/30/01)
39. Farmers Feed & Supply Co., an Iowa corporation
40. Farmland Industries, Inc., a Kansas corporation
41. Fishbelt Feeds, Inc., a Mississippi corporation

42. FORM-A-FEED, Inc., a Minnesota corporation
43. Friona Industries, L.P., a Delaware company
44. Furst-McNess Co., an Illinois company
45. Garland Farm Supply, Inc., a North Carolina corporation
46. General Nutrition Companies, Inc., a Delaware corporation (including but not limited to General Nutrition Products, Inc., but not including Rexall Sundown and its subsidiaries, Royal Numeco NV and its non-US subsidiaries or Unity International, Inc. and its subsidiaries)
47. George's, Inc., an Arkansas corporation
48. George's Farms, Inc., an Arkansas corporation
49. George's of Missouri, Inc., an Arkansas corporation
50. Gessell Feed Mill, Inc., a Minnesota corporation
51. Global Health Sciences, a California corporation d/b/a D&F Industries, Inc. and Omnipac (subject to the approval of the relevant United States Bankruptcy Court)
52. Gold'n Plump Poultry, Inc., a Minnesota corporation
53. Golden Rod Feed Mill, Inc., an Alabama corporation
54. Golden State Feeds, LLC, a Minnesota limited liability company, as successor-in-interest to Golden State Feeds, Inc., a Minnesota corporation
55. GROWMARK, Inc., a Delaware corporation
56. Harrison Poultry, Inc., a Georgia corporation
57. Hitch Pork Producers, Inc., an Oklahoma corporation
58. Hitch Mills, Inc., an Oklahoma corporation
59. Hormel Foods Corporation, a Delaware corporation
60. Indi-Bel, Inc. d/b/a Delta Western, a Mississippi corporation
61. Integrated Grain & Milling, a California corporation
62. International Nutrition, Inc., a Nebraska corporation
63. IVAX Pharmaceuticals, Inc. f/k/a Zenith Goldline Pharmaceuticals, Inc., a Florida corporation
64. J&J Dairy, an Idaho partnership
65. J&K Farms, a South Carolina corporation
66. J.C. Howard Farms, LLC, a North Carolina limited liability company
67. Jennie-O-Foods, Inc., a Minnesota corporation
68. Jerome Foods, Inc. d/b/a The Turkey Store, a Wisconsin corporation
69. Kalmbach Feeds, Inc., an Ohio corporation
70. Keith Smith Company, an Arkansas corporation
71. Kemin Industries, Inc., an Iowa corporation
72. Kent Feeds, Inc., an Iowa corporation
73. Kerber Milling Co., an Iowa corporation
74. Kraft Foods North America, Inc. f/k/a Kraft Foods, Inc., a Delaware corporation
75. L.L. Murphrey Co., a North Carolina corporation (subject to the approval of the relevant United States Bankruptcy Court)
76. Land O' Lakes, Inc., a Minnesota corporation (but not including Nutra Blend LLC to the extent any claims held by it pre-date 6/30/00)
77. Land O' Lakes/Harvest States Feeds, LLC, a Minnesota limited liability company (but not including Nutra Blend LLC to the extent any claims held by it pre-date 6/30/00)

78. M and M Poultry Farms Four, Inc. f/k/a L&K Enterprises, a Connecticut corporation (including K&L Feed Mills Corp.)
79. Malt-O-Meal Company, a Minnesota corporation
80. Mar-Jac Poultry, Inc., a Georgia corporation
81. Marshall Durbin Farms, Inc., an Alabama corporation (including Marshall Durbin Companies)
82. Marshall Minerals, Inc., a Texas corporation (including SEM Minerals, LP)
83. McClain Enterprises, Inc., an Arkansas corporation
84. MFA Incorporated, a Missouri corporation
85. Midwest PMS, Inc., a Colorado corporation
86. Milbank Mills, Incorporated, a Missouri corporation
87. Milk Specialties Co., a Delaware corporation
88. Mission Pharmacal Company, a Texas corporation
89. Moark Egg Corporation as successor in interest to Moark Productions, Inc., a Missouri corporation
90. Moroni Feed Company, a Utah corporation
91. Mountaire Farms, Inc., a Delaware corporation (including Mountaire Corporation)
92. Mountaire Farms, LLC, an Arkansas limited liability company
93. Naturalife Eco Vite Laboratories, Inc. d/b/a Paragon Laboratories, a California corporation
94. N.G. Purvis Farms, a North Carolina corporation
95. Norman W. Fries, Inc. d/b/a Claxton Poultry Farms, a Georgia corporation
96. North American Nutrition Companies, Inc., a Delaware corporation, as successor-in-interest to Vigortone Ag Products, Inc., a Delaware corporation (but not including any subsidiaries or affiliates of Provimi S.A., other than the former Vigortone Ag Products, Inc.)
97. OK Industries, Inc. d/b/a OK Feed Mills, an Arkansas corporation
98. OK Farms, Inc., an Arkansas corporation
99. Orangeburg Foods, Inc., a South Carolina corporation
100. Peco Farms, Inc., an Alabama corporation (including Peco Foods)
101. Pennfield Corporation, a Pennsylvania corporation
102. PennField Oil Co. d/b/a PennField Animal Health, a Nebraska corporation
103. Performance Plus Liquids, Inc., a Nebraska corporation
104. Peterson Farms, Inc., an Arkansas corporation
105. Pilgrim's Pride Corporation of Virginia, Inc., the successor in interest to Wampler Foods, Inc., a Virginia corporation
106. Pilgrim's Pride Corporation, a Delaware corporation
107. Premium Standard Farms, Inc., a Delaware corporation
108. Prince Agriproducts, Inc. d/b/a Prince Agri Products, Inc., a Delaware corporation
109. Producers Feed Company, a Mississippi corporation
110. Pro-Pet, LLC, a Delaware limited liability company
111. Purina Mills, LLC, a Delaware limited liability company, as successor-in-interest to Purina Mills, Inc., a Delaware corporation
112. Quality Liquid Feeds, Inc., a Wisconsin corporation
113. Rangen, Inc., an Idaho corporation
114. Reitsma Dairy, a sole proprietorship of John Reitsma
115. Renaissance Nutrition, Inc., a Virginia corporation

116. R.P. Scherer Corporation, a Delaware corporation (but not including the group of entities that were included in opt-out notifications on the basis of their affiliation with R.P. Scherer and that do not have the name "Scherer" or "R.P.S." in them, a group that includes only entities that, to the best of Scherer's knowledge, are not asserting claims against anyone on the basis of their purchases of Vitamins)
117. Sanderson Farms, Inc., a Mississippi corporation
118. Schell & Kampeter, Inc. d/b/a Diamond Pet Foods, a Missouri corporation
119. Schreiber Foods, Inc., a Wisconsin corporation
120. Seaboard Corporation, a Delaware corporation
121. S-I, LLC, a Virginia limited liability company, as successor-in-interest to Rocco Farms, Inc., a Virginia corporation (including Rocco Enterprises, Inc.)
122. Simmons Foods, Inc., an Arkansas corporation
123. SmithKline Beecham Corporation, a Pennsylvania corporation
124. Southeastern Minerals, Inc., a Georgia corporation (including SEM Minerals, LP)
125. Southern States Cooperative, Inc., a cooperative operating under the laws of Virginia
126. Sparboe Agricultural Corporation, a Minnesota corporation
127. Standard Nutrition Co. f/k/a Standard Manufacturing Co., a Nebraska corporation
128. Star Milling Co., a California corporation
129. Sunshine Mills, Inc., a Delaware corporation
130. Sylvest Farms, Inc., an Alabama corporation
131. T.C. Products Co., Inc., a Wisconsin corporation
132. Tennessee Farmers Cooperative, a Tennessee cooperative marketing association
133. The Quaker Oats Company, a New Jersey corporation
134. Thomas Products, LLC, a California limited liability company, as successor-in-interest to Thomas Products, Inc., a California corporation
135. Titan Supply Company, a Minnesota corporation
136. Townsends, Inc., a Delaware corporation
137. Tyson Chicken, Inc. f/k/a Hudson Foods, Inc., a Delaware corporation
138. Tyson Foods, Inc., a Delaware corporation
139. United Feeds, Inc., an Indiana corporation
140. Universal Cooperatives, Inc., a Minnesota corporation
141. Viking Feed Service, Inc., a Minnesota corporation
142. Vita-Key, LLC, a Texas limited liability company
143. Vita Plus Corporation, a Wisconsin corporation
144. VitaQuest International, Inc. f/k/a Garden State Nutritionals, Inc., a Delaware corporation
145. Vita Tech International, Inc., a California corporation
146. W.B. Fleming Co., a Florida corporation
147. Watkins Incorporated, a Minnesota corporation
148. Welch Foods, Inc., a cooperative, a Michigan corporation
149. Wenger's Feed Mill, Inc., a Pennsylvania corporation
150. Westway Holding Corporation, a Delaware corporation (including E.D. & F. Man, Inc.)
151. Willmar Poultry Farms, Inc., a Minnesota corporation
152. Willmar Poultry Company, Inc., a Minnesota corporation
153. Zacky Farms, a California corporation
154. Zephyr Egg Company, a Florida corporation