

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE: VITAMINS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

Bristol-Myers Squibb Co. v. Rhone-Poulenc S.A., et al.,
00 Civ. 0373 (S.D.N.Y.)

Misc. No. 99-CV-0197

MDL No. 1285

FILED

JUL 09 2002

NANCY MAYER WHITTINGTON, CLE
U.S. DISTRICT COURT

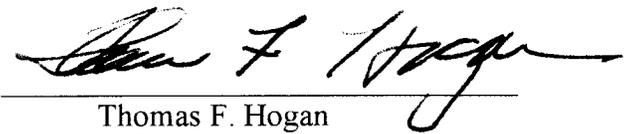
**ORDER DISMISSING DEFENDANTS
E. MERCK, MERCK KGaA AND EM
INDUSTRIES, INC. WITH PREJUDICE**

This matter being presented to the Court in connection with the unopposed motion of plaintiff Bristol-Myers Squibb Co. to dismiss defendants E. Merck, Merck KGaA and EM Industries, Inc. with prejudice,

IT IS HEREBY ORDERED that the Complaint in this action is dismissed with prejudice solely against defendants E. Merck, Merck KGaA and EM Industries, Inc. This Order is without prejudice to Bristol-Myers Squibb Co.'s claims against any other defendant or alleged co-conspirator in the above-captioned case.

IT IS SO ORDERED.

Dated: July 8, 2002


Thomas F. Hogan
United States District Judge