

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

In re: Vitamins Antitrust Litigation

This Document Relates To:

Kellogg Company v. BASF AG, et al.  
(No. 99-1996 (TFH))

)  
) Misc. No. 99-197 (TFH)  
) MDL No. 1285

**FILED**

**JUL 26 2002**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

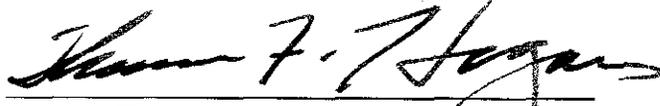
~~PROPOSED~~ ORDER DISMISSING DEFENDANTS EISAI CO. LTD AND EISAI INC.  
WITH PREJUDICE

This matter being presented to the Court in connection with the unopposed motion of Plaintiff Kellogg Company to Dismiss Defendants Eisai Co. Ltd. and Eisai Inc. with prejudice,

IT IS HEREBY ORDERED that the Third Amended Complaint in this action is dismissed with prejudice solely against Defendants Eisai Co. Ltd. and Eisai Inc. This Order is without prejudice to Plaintiff Kellogg Company's claims against any other Defendant or alleged co-conspirator in the above-captioned case.

IT IS SO ORDERED.

Dated: July 26, 2002

  
Thomas F. Hogan  
United States District Judge