

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

VITAMINS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

HILL'S PET NUTRITION, INC.,

Plaintiff,

v.

F. HOFFMAN-LA ROCHE, LTD., et al.,

Defendants.

) M.D.L. No. 1285

) Misc. No. 99-0197 (TFH)

FILED

SEP 03 2002

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

**ORDER OF DISMISSAL, WITH PREJUDICE,
OF HILL'S PET NUTRITION, INC.'S
CLAIMS AGAINST THE "MERCK" DEFENDANTS**

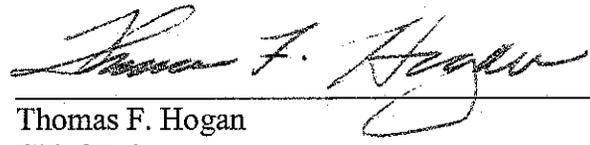
This cause is before the Court on the Motion of Plaintiff Hill's Pet Nutrition, Inc. ("Hill's Pet") for the dismissal, with prejudice, of Hill's Pet's claims in the above-captioned case against the Defendants E. Merck, Merck KGaA, and EM Industries, Inc. (collectively the "Merck Defendants"). The Court has considered the Motion, the record in this case, and being otherwise advised, it is

ORDERED AND ADJUDGED that the foregoing Motion to Dismiss, With Prejudice, of Hill's Pet's claim against the Merck Defendants be and the same is hereby accepted and approved; and further

ORDERED AND ADJUDGED that the above-captioned case of Hill's Pet Nutrition, Inc. v. F. Hoffman-La Roche, Ltd., et al., Case No. 00-4001-RDR is hereby DISMISSED with

prejudice against E. Merck, Merck KGaA, and EM Industries, Inc. This dismissal is without prejudice to Hill's Pet's claims against any other Defendants or alleged co-conspirators in the above-captioned case.

Done and ordered in chambers in Washington, D.C. this 3rd day of September, 2002.



Thomas F. Hogan
Chief Judge