

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

----- X
IN RE: :

VITAMINS ANTITRUST LITIGATION :

M.D.L. No. 1285

OCT 08 2002

Misc. No. 99-0197 (TMM)

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

THIS DOCUMENT RELATES TO:

KELLOGG COMPANY.

v. BASF AG, ET AL.

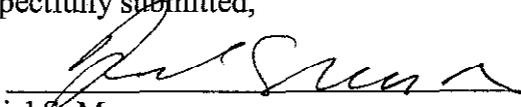
: Docket No. 4:99 cv 75 (W.D. Mich.)
----- X

**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 of Plaintiff Kellogg Company ("Kellogg") in the above-captioned action are dismissed with prejudice as against Defendant Nepera, Inc. This Stipulated Order is without prejudice to Kellogg's claims against any other defendants or alleged co-conspirators in the above-captioned cases.

DATED: September 30, 2002

Respectfully submitted,

By: 

Daniel S. Mason

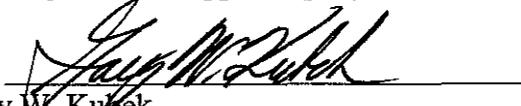
ZELLE, HOFMANN, VOELBEL, MASON & GETTE LLP

44 Montgomery Street

Suite 3400

San Francisco, CA 94104

Attorneys for Kellogg Company

By: 

Gary W. Kubek

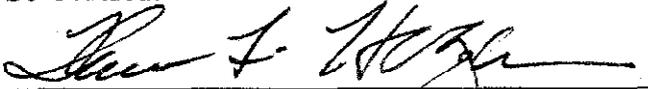
DEBEVOISE & PLIMPTON

919 Third Avenue

New York, NY 10022

Attorneys for Nepera, Inc.

So Ordered:



Thomas F. Hogan

Chief Judge

Oct. 8, 2002