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U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

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 IN RE: VITAMIN ANTITRUST LITIGATION :
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 This Document Relates To: :
 :
 MEIJER, INC :
 :
 Plaintiff, :
 :
 v. :
 :
 F. HOFFMAN-LA ROCHE LTD., et. al., :
 :
 Defendants. :
 :
 PUBLIX SUPERMARKETS, INC. :
 :
 Plaintiff, :
 :
 v. :
 :
 F. HOFFMAN-LA ROCHE LTD., et. al., :
 :
 Defendants. :
 :
 ----- X

MDL No. 1285

Misc. No. 99-0197 (TFH)

**STIPULATION
AND PROPOSED
ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys that the time for defendants Merck KGaA and E. Merck ("Merck") to answer, move or otherwise respond to the *Publix Supermarkets* complaint is extended through and including the date Merck and EM Industries, Inc. become obligated to file amended responses to the *Meijer* complaint, which is currently the subject of the pending Motion for Leave to File Second Amended Complaint.

This Stipulation does not waive any defenses, including but not limited to the defense of inadequate service of process under the Hague Convention.

Dated: Washington, DC
April 18, 2000

DAAR, FISHER, KANARIS & VANEK, P.C.

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SO ORDERED:

Thomas F. Hogan
The Honorable Thomas F. Hogan, U.S.D.J.
4/17/2000