

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE VITAMINS ANTITRUST LITIGATION)

This document relates to:)

LIVENGOOD FEEDS, INC., et al.,)

Plaintiffs,)

- against -)

MERCK KGaA., et al.,)

Defendants.)

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

FILED

NOV 17 2003

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

**ORDER REGARDING CLAIM FORM, REVISED
SCHEDULE OF NOTICE, AND FINAL APPROVAL HEARING**

This Court having considered Class Plaintiffs' motion for approval of claim form, revised schedule of notice, and final approval hearing, and having preliminarily approved certain Settlements by Order of October 14, 2003,

IT IS HEREBY ORDERED THAT:

1. On November 18, 2003, Class Plaintiffs shall cause mailing of copies of the Notice and claim form, substantially in the form attached hereto as Exhibits 1 and 2, by first class mail, postage prepaid, to all potential members of the classes, to the extent that they can be identified by reasonable diligence, from the database of customers created by the Claims Administrator in this action.
2. As soon as practicable after mailing of the Notice and claim form and, in all events, at least 30 days prior to the Settlement Hearing, Class Plaintiffs shall

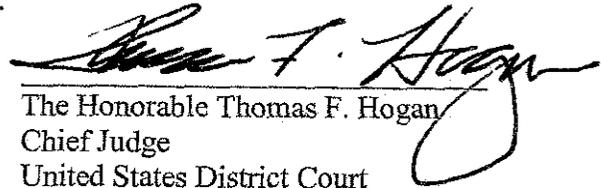
cause publication of the Summary Notices to begin. They shall be published one day a week for two consecutive weeks in the national edition of *The Wall Street Journal* and once in *Feedstuffs* and *Chemical Market Reporter*.

3. Prior to the Settlement Hearing, Class Plaintiffs shall serve and file a sworn statement attesting to compliance with the provisions of paragraph 1 and 2 of this Order.
4. By letter postmarked within 45 days after the mailing of the Notice and claim form, any member of the Vitamin Products Class who wishes to object to the Settlements must file its objections in writing, pursuant to the procedures set forth in this Court's Order of October 14, 2003.
5. No later than 60 days after the mailing of the Notice and claim form, Class Plaintiffs must file their motion for final approval of the Settlements.
6. A hearing shall take place before the Court on February 18, 2004 at 10:00 a.m. in Courtroom No. 8, United States Courthouse, 333 Constitution Avenue, NW, Washington D.C. 20001 to consider the fairness, reasonableness and adequacy of the Settlements, the dismissal with prejudice of the class action with respect to the Sumitomo, Tanabe, Reilly, Lonza, Degussa, and Nepera Defendants and the entry of Final Judgment as to those Defendants in the class action.
7. The date and time of the Settlement Hearing shall be set forth in the Notice but shall be subject to adjournment by the Court without further notice to the members of the Vitamin Products Class other than that which may be posted at the Court and on the Court's website.

7. Claim Forms for Vitamin Product purchases must be postmarked no later than

March 17, 2004.

SO ORDERED this 17 day of March, 2003.



The Honorable Thomas F. Hogan
Chief Judge
United States District Court
for the District of Columbia