

STATE OF MINNESOTA

IN SUPREME COURT

C6-99-1909

In Re: Minnesota Vitamin Antitrust Litigation.

O R D E R

This litigation currently consists of five actions, identified on the attached addendum, filed in five different district courts. The complaints claim damages on behalf of classes of plaintiffs based on alleged violation of the state antitrust laws in the sale and distribution of vitamins and vitamin products. The court is informed that additional similar actions may be filed. Defendants moved for transfer and consolidation of the actions before a single district court judge. All plaintiffs in the five actions and all defendants who have appeared in connection with the motion have agreed that the cases should be transferred to a single judge.

These actions involve similar questions of law and fact, the potential for duplicative discovery and other common issues or problems. The same industry defendants are involved in the multiple claims. The class of plaintiffs alleged in each of the actions is either identical or overlapping in large degree.

The court has determined that the interests of the parties and the judiciary will be furthered by a uniform and coordinated system of litigation management to eliminate duplicative discovery, prevent inconsistent pretrial rulings and conserve the resources of the parties, their counsel and the judiciary.

IT IS THEREFORE ORDERED that, pursuant to Minn. Stat. §§ 480.16 and 2.724 (1998), the Honorable Gregg E. Johnson of the Second Judicial District, having consented, be appointed to hear and decide all matters, including pretrial and trial proceedings, in the vitamin antitrust cases currently pending in the Minnesota state district courts and any future actions filed in Minnesota state district courts raising similar claims arising from the same alleged conduct. To facilitate the identification and management of these cases, all documents served and filed from the date of this order shall in addition to the individual case captions, bear the general case caption "In Re: Minnesota Vitamin Antitrust Litigation."

The Clerk of Appellate Courts shall mail a copy of this order to all counsel who have appeared in conjunction with this motion and who are listed in the attached addendum, to the district court judges assigned to the cases in the courts in which they were filed, to the court administrators in the counties in which the cases were filed, and to the chief judges and district administrators in the districts in which the cases are now pending, as well as to Judge Johnson, Chief Judge Lawrence Cohen and the district and court administrator in the Second Judicial District. If counsel for the moving defendants are aware of any parties who have appeared in any of the pending actions that are not represented on the appended list of counsel, they shall serve a copy of this order on counsel for those parties forthwith.

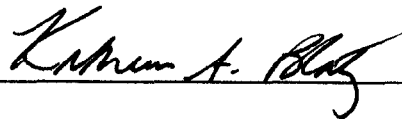
Dated: February 16, 2000

BY THE COURT:

OFFICE OF  
APPELLATE COURTS

FEB 17 2000

**FILED**



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## ADDENDUM

### I. PENDING CASES

*Denise DeNardi v. F. Hoffman LaRoche, Ltd., et al.*  
No. 99-3123, Hennepin County District Court

*Thomas Murr v. F. Hoffman LaRoche, Ltd., et al.*  
No. 19-C9-99-9673, Dakota County District Court

*Custom Nutrition, Inc. and Brinton Veterinary Supply, Inc. v. F. Hoffman LaRoche, Ltd., et al.*  
No. 34-C4-99-01274 (DMS), Kandiyohi County District Court

*Big Valley Milling, Inc. v. F. Hoffman LaRoche, Ltd., et al.*  
No. C1-99-405, Chippewa County District Court

*Form-A-Feed, Inc., et al. v. Akzo Nobel, Inc., et al.*  
No. 43-C0-99-000856, McLeod County District Court

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