STATE OF MINNESOTA IN SUPREME COURT

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CASE TITLE:)	
)	
In re Minnesota Vitamin Antitrust)	ORDER
<u>Litigation</u>)	
)	
)	

WHEREAS, it appearing to the Court that multiple actions involving an alleged conspiracy to fix prices, allocate markets and otherwise violate The Minnesota Antirust Act in the market for vitamins, along with allegations of fraudulent concealment of the alleged antitrust violations, have been brought in Minnesota state courts; and

WHEREAS, additional such actions may be brought in Minnesota courts in the future; and

WHEREAS, these actions involve, in many instances, similar questions of fact and law, and are likely to present similar theories of recovery and defense, problems in discovery, and the potential for duplicative discovery; and

WHEREAS, the same group of defendants are involved in the actions filed to date, and may be exposed to the threat of duplicative recovery; and

WHEREAS, the actions filed to date purport to be class actions filed on behalf of substantially similar and overlapping classes of plaintiffs; and

WHEREAS, the Court has determined that the interests of the parties and the judiciary are furthered by a uniform, coordinated and consolidated system of litigation management to properly allocate limited court facilities, resources and personnel in the handling of these cases;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Article VI, Section 2 of the Minnesota State Constitution, Minn. R. Civ. P. 42.01 and Minn. Stat. §§ 2.724 and 325D.57:

- 1. All cases involving allegations of antitrust violations in the market for vitamins that are presently pending in the District courts of this state, including DeNardi v. F. Hoffman-La Roche, et al., No. 99-3123, Hennepin County, Murr v. F. Hoffman-La Roche, et al., No. 19-C9-99-9673, Dakota County, Custom Nutrition, Inc. v. F. Hoffman-La Roche, et al., No. 34-C4-99-01274 (DMS), Kandiyohi County, Big Valley Milling v. F. Hoffman-La Roche, et al., No. C1-99-405, Chippewa County, shall be consolidated in the Fourth Judicial District.
- 2. All subsequently filed actions involving allegations of antitrust violations in connection with the alleged conspiracy to fix prices, allocate markets, and otherwise violate The Minnesota Antitrust Act in the market for vitamins, shall be transferred and consolidated with all other such actions in the Fourth Judicial District.
- 3. The Honorable Deborah Hedlund is hereby appointed to preside over the consolidated and future filed vitamin actions and shall manage said litigation in accordance with the goal of avoiding duplicative recovery in indirect purchaser actions, as provided in Minn. Stat. § 325D.57.
- 4. To facilitate the identification, management and consolidation of these cases, all documents served and filed in the cases affected by this order from the date of this order shall bear the general case caption "In re Minnesota Vitamin Antitrust Litigation."

Dated: November, 1999		
	BY THE COURT	
	Kathleen Anne Blatz Chief Justice	