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November 12, 1999

OFFICE OF  
APPELLATE COURTS

NOV 15 1999

FILED

Minnesota Supreme Court  
Court Administrator  
Minnesota Judicial Center  
25 Constitution Avenue  
St. Paul, MN 55155

**Re: In re Minnesota Vitamins Antitrust Litigation**

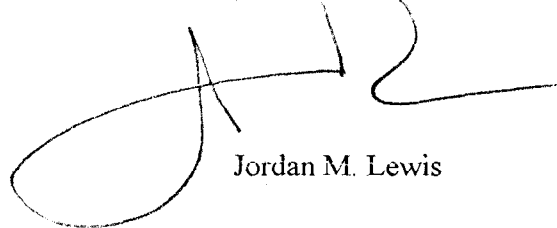
Dear Sir or Madam:

Enclosed for filing please find the following:

1. Response Of Murr Plaintiffs' To Motion To Transfer And Consolidate; and
2. Affidavit of Service.

Thank you.

Very truly yours,



Jordan M. Lewis

JML/krb  
Enclosures

cc: all counsel

STATE OF MINNESOTA

OFFICE OF APPELLATE COURTS

IN SUPREME COURT

NOV 15 1999

C6-99-1909

FILED

CASE TITLE:

In re Minnesota Vitamin Antitrust  
Litigation

Response Of Murr Plaintiffs To  
Motion To Transfer And Consolidate

TO: Chief Justice of the Minnesota Supreme Court

The "Murr plaintiffs"<sup>1</sup> hereby respond to the Motion To Transfer and Consolidate. The Murr plaintiffs do not object to the motion by defendants; indeed, the Murr plaintiffs had initiated communication with the "DeNardi"<sup>2</sup> plaintiffs in advance of the defendants' motion and did not know that any other similar action had been filed. Accordingly, the Murr plaintiffs join in the defendants' motion, with a single exception. The Murr plaintiffs agree that these cases are much more expeditiously and economically litigated before a single court. How these cases are organized before that court is another matter. Accordingly, the Murr plaintiffs ask only that these various files be consolidated under the supervision of Hennepin County Chief Judge Daniel Mabley, who can direct this consolidation and organize these cases at his discretion. Indeed, if multiple cases *within* the same judicial district would be consolidated, the cases would be consolidated under the supervision of the Chief Judge for that judicial district. Surely, consolidation of cases from multiple judicial districts should be organized under the same authority.

<sup>1</sup> Thomas Murr v. Hoffmann Roche Ltd., et al., Dakota County, No. 19-C9-99-9673 (served originally on or about May 20, 1999, Amended Complaint filed September 29, 1999).

<sup>2</sup> Denise DeNardi v. Hoffmann Roche Ltd., et al., Hennepin County, No. 99-3132 (filed March 3, 1999).

Dated: 1/12, 1999

Respectfully submitted,

By: 

Wood R. Foster, Jr.

Jordan M. Lewis

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**Attorneys for the Murr Plaintiffs**

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF HENNEPIN )

**AFFIDAVIT OF SERVICE**

Kristi Besse, of the City of Eden Prairie, County of Hennepin, in the State of Minnesota, being duly sworn on oath, says that on the 12th day of November, 1999, she served the following:

**1. Response Of Murr Plaintiffs' To Motion To Transfer and Consolidate**

upon the person(s) listed below, by mailing a copy thereof, enclosed in an envelope, postage prepaid and depositing same in the post office in Minneapolis.

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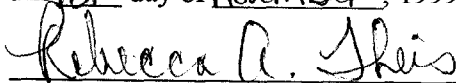
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\_\_\_\_\_  
Kristi Besse

Subscribed and sworn to before me  
this 12<sup>th</sup> day of November, 1999.

  
\_\_\_\_\_  
Notary Public

