



Stipulating Parties will have an opportunity to respond. The Stipulating Parties also agree that should the Court order one or more of these Stipulating Parties back into the case, such party(ies) will waive formal service of any amended complaint(s), and service on its or their counsel will be effective.

The parties also agree that all applicable state and federal statutes of limitations for the filing of any claims, defenses, counterclaims, and/or third party claims concerning the matters alleged in the Direct Purchaser Plaintiffs and Indirect Purchaser Consolidated Amended Complaints (Doc. Nos. 46 and 52) shall be tolled until the date for adding new parties, as set forth in Paragraph 4 of the Joint Scheduling Order (Doc. No. 112), or any amended date for adding new parties.

The parties agree that by entering into this Stipulation or making corporate representatives available for deposition or participating in such depositions, the Plaintiffs and Stipulating Parties expressly preserve and do not waive, prejudice, release, or otherwise lose any available claims or defenses (including jurisdictional defenses) that may be available under the Federal Rules of Civil Procedure or any other rules, statutory or common law claim or defense. Neither the execution of this Stipulation nor anything contained herein is intended to be, nor shall be deemed to be, an admission of any liability or defense by anyone, or an admission of the existence of facts upon which liability or a defense could be based or contested.

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**SO ORDERED:**

s/ Jack Zouhary 9/28/11

Jack Zouhary  
United States District Judge