

**SUMMARY NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

**IF YOU PURCHASED AND/OR PAID FOR REMERON® OR ITS GENERIC EQUIVALENTS DURING THE PERIOD JUNE 15, 2001 THROUGH JANUARY 25, 2005**

**PLEASE READ THIS LEGAL NOTICE CAREFULLY.**

**YOU MAY BE ENTITLED TO A CASH RECOVERY IN A CLASS ACTION SETTLEMENT.**

This Summary Notice is to inform you of the proposed Settlement of class action lawsuits brought by the Attorneys General of all 50 states, Territories and Possessions, the Commonwealth of Puerto Rico, and the District of Columbia, and by the End-Payor Plaintiffs, and to inform members of the proposed Settlement Class of their rights. This Notice is only a summary. **To obtain the full Notice, read the last section below.** The proposed Settlement provides a total amount of up to \$36,000,000.00. As described in more detail in the full Notice, the settlement amount, less notice and claims administration costs, attorneys' fees, expenses, and incentive awards will be allocated as follows: 32.8% to consumers, 16.5% to state entities, and 50.7% to Third-Party Payors. The State Attorneys General and the End-Payor Plaintiffs each have concluded on the basis of their extensive economic, factual and legal investigation that the proposed Settlement is fair, reasonable, and adequate. The proposed Settlement is subject to approval by the Court.

**Who is Part of the Settlement Class?** - The proposed "Settlement Class" includes any person (or the estate of a person) and entities, such as private or (non-federal) governmental hospitals, nursing homes, and Third-Party Payors, such as health insurers, and any assignees, that purchased and/or paid all or part of the purchase price of Remeron® or its generic equivalents in the United States (including its Territories) during the period June 15, 2001 through January 25, 2005. Excluded from the Settlement Class are all wholesalers and retailers and all persons or entities that purchased Remeron® or its generic equivalents primarily for purposes of resale. See the full Notice for other entities that are excluded from the Settlement Class.

**What is the Lawsuit About?** - The State Attorneys General and End-Payor Plaintiffs have filed lawsuits alleging that Organon USA Inc. and Akzo Nobel N.V. (collectively, the "Defendants") violated federal and state antitrust laws by monopolizing and attempting to monopolize the United States market for Remeron® and its generic equivalents, which resulted in Defendants' unjust enrichment. Defendants have denied any wrongdoing or liability.

**What Are My Legal Rights?** - If you are a member of the Settlement Class, you may have a right to share in the Settlement Fund, if this Settlement is approved by the Court. The proposed Settlement also includes a release of claims as further described in the full Notice. If you want to be excluded from the Settlement and Settlement Class, you must mail a written Request for Exclusion, postmarked on or before April 27, 2005, that complies with the instructions and requirements set forth in the full Notice. The Court has scheduled a final approval hearing to be held at 4:00 p.m., Eastern time, on June 28, 2005, in Courtroom 1, United States District Court for the District of New Jersey, Martin Luther King, Jr. Federal Building and United States Courthouse, 50 Walnut Street, Newark, NJ 07101-0999, before the Honorable Faith S. Hochberg, on the proposed Settlement and the applications for fees and costs and for incentive awards to the Class Representatives. If you have not elected to exclude yourself from the Settlement Class and wish to comment in support of, or to object to, the Settlement, or the applications for fees and costs and for incentive awards, you must file your comments or objections in writing with the Clerk of the Court, at the above address, on or before May 28, 2005, in compliance with the instructions and requirements set forth in the full Notice. To learn whether the hearing has been postponed, please visit the website at [www.RemeronSettlement.com](http://www.RemeronSettlement.com), or call the Settlement Administrator at 1-866-401-6807.

**How Can I File a Claim?** - You need to *either* complete the Claim Form that is provided with the Notice and mail the Claim Form **postmarked no later than June 13, 2005** to the Settlement Administrator at:

Remeron Antitrust Settlement  
c/o Complete Claim Solutions, Inc.  
P.O. Box 24769  
West Palm Beach, FL 33416

**OR** complete the Claim Form online at [www.RemeronSettlement.com](http://www.RemeronSettlement.com) **no later than June 13, 2005.**

To obtain the full Notice, a Claim Form, or more information, you may write the Settlement Administrator at the address above, call toll-free at 1-866-401-6807, or visit the website at [www.RemeronSettlement.com](http://www.RemeronSettlement.com).

**PLEASE DO NOT CONTACT THE COURT OR COUNSEL FOR DEFENDANTS  
FOR ADDITIONAL INFORMATION.**

DATED: JANUARY 25, 2005

BY ORDER OF THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY