UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re: Buspirone Antitrust Litigation	:	MDL Docket No. 1413 (JGK)
Louisiana Wholesale Drug Company, Inc. v. Bristol-Myers Squibb Co., Watson Pharma, Inc., and Danbury Pharmacal, Inc.	:	This Document Relates To: 01-CV-7951 (JGK)

SUMMARY NOTICE OF PROPOSED DIRECT PURCHASER CLASS ACTION SETTLEMENT AND HEARING REGARDING SETTLEMENT

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS. PLEASE READ CAREFULLY.

TO: ALL PERSONS WHO HAVE DIRECTLY PURCHASED BUSPAR® FROM DEFENDANT BRISTOL-MYERS SQUIBB COMPANY ANY TIME DURING THE PERIOD NOVEMBER 9, 1997 THROUGH JANUARY 28, 2003.

Plaintiff Louisiana Wholesale Drug Company ("Plaintiff"), on behalf of itself and a class of similarly situated entities, brought an action against defendant Bristol-Myers Squibb Company ("BMS"), the manufacturer and marketer of BuSpar®, and also against Watson Pharma, Inc. (successor-in-interest to Schein Pharmaceutical, Inc.) and Danbury Pharmacal, Inc. (the "Schein Defendants") (collectively "Defendants"), alleging violations of the federal antitrust laws. Plaintiff claims that, as a result, purchasers of brand name BuSpar® (also known by its chemical name buspirone hydrochloride) from BMS have paid higher prices than they otherwise would have paid. Defendants have denied these charges.

A settlement has been reached providing for a payment by BMS of $220 million in cash. The Court has ruled that this case may be maintained as a class action with a class defined as:

> All persons who have directly purchased BuSpar® from defendant Bristol-Myers Squibb Company any time during the period November 9, 1997 through January 28, 2003 ("Direct Purchaser Class" or the "Class"). Excluded from the Class are the defendants in this lawsuit, and their officers, directors, management and employees, subsidiaries and affiliates, and federal government entities.

Also excluded from the Class are the claims brought by and/or assigned to entities which already independently sued BMS in the actions styled *CVS Meridian, Inc. and Rite Aid Corp. v. Bristol-Myers Squibb Co., et. al.*, No. 01-CV-10223, and *Walgreen Co., et. al. v. Bristol-Myers Squibb Co., et. al.*, No. 02-CV-2952, as well as claims asserted by certain States in the action styled *State of Alabama et. al. v. Bristol-Myers Squibb Co., et. al.*, No. 01 CV 11401.

A hearing will be held on April 11, 2003, at 4:30 p.m. before the Honorable John G. Koeltl, Judge of the United States District Court for the Southern District of New York, at the United States District Courthouse at 500 Pearl Street, New York, New York ("Fairness Hearing") for the purpose of determining: (1) whether the proposed settlement should be approved; and (2) whether to approve the application of Class counsel for an award of attorneys' fees, costs, and for an incentive award for the Plaintiff. The Court may reschedule the hearing without notice.

Persons and entities that have been identified as possible members of the Direct Purchaser Class are being advised by mail of their rights with respect to this lawsuit (including the right to exclude themselves from the settlement class and/or to appear at the Fairness Hearing if they so desire). This notice is being published because some Class members may not have received the mailed notice. You may obtain a copy of the notice by sending a written request and providing your name and current address to the Claims Administrator at: BuSpar Direct Purchaser Antitrust, PO Box 9000 #6077, Merrick, NY 11566-9000.

You will then be mailed a more detailed explanation of your rights in this litigation and be placed on the mailing list for future notifications regarding this settlement.

Class members who wish to exclude themselves from the Class (and therefore wish not to participate in the proposed settlement) and/or to appear at the Fairness Hearing must do so by sending an appropriate written request postmarked no later than March 28, 2003, in the manner and form described in the mailed notice.

Please do not contact the Court or the Clerk of this Court for information.

Date: March 3, 2003, New York, New York

Clerk of the Court
United States District Court
Southern District of New York

MECHANICAL SPECIFICATIONS

File Name: 34800-BuSpar-1260.qxd	Body Font: Helvectica
Publication: Pink Sheet	Body Font Size/Lead: 8 / 9.5
	Create Date/Time: 2-3-03/6:15 pm
Run Date: 3-3-03	Last Edit Date: 2-5-03
	Last Edit Time: 4:50 pm
Trim Size: 4.25 x 11	Operator: dmb

Comments: Trim to Crop Marks