

If You Purchased the Drug BuSpar[®] or bupirone HCl from January 1, 1998 through December 31, 2002

You May Be Entitled to a Recovery in a Class Action Settlement

There is a proposed settlement of the class action lawsuit, *In re Bupirone Antitrust Litigation, MDL-1413* (S.D.N.Y.), brought by the Attorneys General of 35 states, Puerto Rico and the District of Columbia. Under the terms of the Settlement, you may be able to make a claim for a recovery for your purchase of BuSpar[®] or bupirone HCl.

What is the Lawsuit About?

Plaintiffs allege that Bristol-Myers Squibb ("BMS") engaged in fraudulent conduct and conspired with a potential competitor to prevent the entry of generic competitors and illegally maintain its monopoly in the United States over the sale of bupirone hydrochloride-based prescription drugs. Through its unlawful actions, generic competition in the sale of bupirone HCl was prevented, causing consumers and government entities to pay higher prices for BuSpar[®] and bupirone HCl and lose the substantial cost savings that generic versions of the same drugs would have produced. Defendants have denied any wrongdoing or liability.

Can I Benefit from the Settlement?

If you are a consumer within the United States including Puerto Rico, who purchased BuSpar[®] or generic bupirone HCl in the United States or Puerto Rico from January 1, 1998 through the December 31, 2002 you are a member of the Settlement Class and can file a claim for recovery.

What are the Terms of the Settlement?

Under the Settlement Agreement, approximately \$__ million has been set aside to reimburse consumers some portion of any alleged overcharges that they may have incurred from purchasing BuSpar[®] or bupirone HCl during the relevant time period.

What Are My Legal Rights?

- If you wish to remain a member of the Settlement Group, you do not need to take any action to remain a member. However, to share in the settlement fund you must file a

claim as discussed below. If the Court approves the proposed Settlement, you will be bound by all orders of the Court and any legal claims you may have against the Defendants relating to the conduct alleged in the lawsuit will be released.

- If you do not wish to remain a member of the Settlement Group, you must mail a written request for exclusion, postmarked by _____, to the BuSpar[®] Settlement Administrator at the address below. If you do not mail a written request for exclusion, you will remain a member of the Settlement Group.
- As a member of the Settlement Group, you may object to the Proposed Settlement, enter an appearance in this matter through counsel, or appear at the final approval hearing.

What is BuSpar[®]?

BuSpar[®] is a brand-name prescription drug containing bupirone hydrochloride as its active pharmaceutical ingredient. BuSpar[®] is a medication for treating patients suffering from generalized anxiety disorder.

How Can I file a Claim?

If you remain a member of the Settlement Group and you wish to be reimbursed for some portion of the alleged overcharge you incurred, you must file a claim by Month Day, 2003 with the BuSpar[®] Settlement Administrator. A Claim can be registered by visiting the www.____.com website, calling the toll-free number below, or writing the BuSpar[®] Settlement

Administrator at the address listed below.

When Will the Settlement Be Approved?

The Court will hold a final approval hearing on the proposed Settlement on Month Day, 2003 at (00:00 am/pm) in the Courtroom of the Honorable John G. Koeltl, at the U.S. District Court, Southern District of New York, Street, City, State Zip.

For Information on Your Legal Rights, the Notice of Proposed Settlement, and to Register a Claim:

Visit: WWW.____.com or Call: 1-800-XXX-XXXX

Or write: BuSpar Settlement Administrator, PO Box XXX, Faribault, MN, Zip