

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON VICINAGE

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| IN RE DUCTILE IRON PIPE | : Civ. No. 12-169 (AET) (LHG) |
| FITTINGS ("DIPF") INDIRECT | : |
| PURCHASER ANTITRUST LITIGATION | : RETURN DATE: July 15, 2013 |
| | : |
| | : ORAL ARGUMENT REQUESTED |
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| STATE OF INDIANA, | : |
| by its Attorney General | : |
| Greg Zoeller, | : |
| | : Civ. No. 12-6667 (AET) (LHG) |
| Plaintiff, | : |
| | : |
| v. | : |
| | : |
| McWANE INC., SIGMA CORPORATION, | : |
| and STAR PIPE PRODUCTS, LTD., | : |
| | : |
| Defendants. | : |
| | : |

**CONSOLIDATED NOTICE OF MOTION
OF DEFENDANTS McWANE, INC. AND SIGMA CORPORATION
TO DISMISS THE SECOND AMENDED CLASS ACTION COMPLAINT**

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PLEASE TAKE NOTICE that, at nine o'clock in the forenoon on Monday, July 15, 2013, or as soon thereafter as counsel may be heard, defendants McWane, Inc. ("McWane") and SIGMA Corporation ("SIGMA") shall move the Court, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), for an order dismissing,

in part, the second amended class action complaint in this action.¹

PLEASE TAKE FURTHER NOTICE that reliance will be had on defendants' consolidated memorandum in support of their motion to dismiss the second amended class action complaint.

¹ This Notice of Motion and the accompanying memorandum of law also pertain to the complaint filed by State of Indiana in Civil Action No. 12-6667, which the Court consolidated with the Indirect Purchaser action on November 5, 2012. State of Indiana has objected to that consolidation, while defendants have submitted that consolidation is appropriate. The Court has not yet ruled. Out of an abundance of caution defendants explain in the accompanying memorandum of a law why, even if the Court were to reverse its consolidation order, the Court should nonetheless dismiss the complaint filed by the State of Indiana.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

/s/ Jason A. Leckerman

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DATED: June 17, 2013