

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE: CHOCOLATE** : **MDL DOCKET NO. 1935**  
**CONFECTIONARY ANTITRUST** : **(Civil Action No. 1:08-MDL-1935)**  
**LITIGATION** :  
\_\_\_\_\_ : **(Chief Judge Conner)**  
: :  
**THIS DOCUMENT APPLIES TO:** :  
**ALL INDIVIDUAL PLAINTIFF** :  
**ACTIONS EXCEPT CIVIL ACTION :**  
**NO. 1:12-CV-01604 (ASSOCIATED** :  
**WHOLESALE GROCERS, INC.)** :  
**and THE DIRECT PURCHASER** :  
**CLASS** :

**ORDER**

AND NOW, this 26th day of February, 2014, upon consideration of the motions for summary judgment filed by Nestlé U.S.A., Inc. (“Nestlé”) (Docs. 1205, 1385), The Hershey Company (“Hershey”) (Docs. 1206, 1386), and Mars, Inc., and Mars Snackfood U.S. (collectively, “Mars”) (Docs. 1221, 1421), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that the motions (Docs. 1205, 1206, 1221, 1385, 1386, 1421) are GRANTED in favor of all defendants and against the direct purchaser class and the individual purchaser plaintiffs as to all Section 1 claims. The Clerk of Court is directed to defer the entry of judgment pending the conclusion of the litigation.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania