

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DIET DRUGS (PHENTERMINE/ FENFLURAMINE/DEXFENFLURAMINE) PRODUCTS LIABILITY LITIGATION)	MDL NO. 1203
_____)	
THIS DOCUMENT RELATES TO:)	
SHEILA BROWN, et al.)	CIVIL ACTION NO. 99-20593
v.)	
AMERICAN HOME PRODUCTS CORPORATION)	2:16 MD 1203

PRETRIAL ORDER NO 8305

AND NOW, this *1st* day of *October*, 2009, upon the recommendation of the Special Master pursuant to Section K of the Eighth Amendment Mediation Program ("Mediation Procedures") approved by this court in Pretrial Order No. 5929 on January 3, 2006, it is hereby ORDERED that the Mediation Procedures are amended to include the following new section:

M. UNCONTESTED RESOLUTIONS

With the exception of claims involving an interest of a minor or an incapacitated person, or a decedent's estate in which a minor or incapacitated person has an interest, in any instance where Wyeth and a Class Member have entered into an agreement to resolve any claim for Matrix Compensation Benefits currently in or eligible for the show cause process, and the Class Member has executed

a Release acceptable to Wyeth, Wyeth shall submit a Notice as described in Section F of these rules directly to the Trust and Class Counsel, rather than to the Special Master. If no objection to such resolution is made by the Trust or Class Counsel within five (5) days after the date of such Notice: (i) the Trust shall distribute the agreed upon payment amounts in accordance with the procedure described in Section J of these rules; (ii) Sections F and H of these rules shall not apply to the resolution; and (iii) no further proceedings with the Special Master or the court shall be required. If an objection is timely made, or in all cases involving the claims of a minor or an incapacitated person, or a decedent's estate in which a minor or incapacitated person has an interest, the provisions of Sections F and H of these rules shall apply to the claim.

BY THE COURT:


C.J.