

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

IN RE: DIET DRUGS :
(PHENTERMINE, FENFLURAMINE, :
DEXFENFLURAMINE) PRODUCTS :
LIABILITY LITIGATION :

MDL DOCKET NO. 1203

THIS DOCUMENT RELATES TO: :

FILED APR - 5 2001

SHEILA BROWN, et al. :

v. :

AMERICAN HOME PRODUCTS :
CORPORATION :

CIVIL ACTION NO. 99-20593

COURT APPROVED PROCEDURE NO. 2

AND NOW, this 4th day of April, 2001, upon consideration of the Motion of the AHP Settlement Trust ("the Trust") for a Court Approved Procedure Governing Claims of or on Behalf of Minors, Incapacitated Persons and Deceased Persons, it is hereby ORDERED that the motion is GRANTED, and the Court hereby authorizes the AHP Settlement Trust to do the following:

(1) In the case of a minor's Claim that is less than or equal to \$10,000, the Court authorizes the Trust to distribute funds to an adult member of the minor's family as custodian for the minor, pursuant to Section 5307 of the Pennsylvania Uniform Transfers to Minors Act. In the ordinary course of affairs, where a primary Claimant is a family member of a minor Derivative Claimant and is not otherwise disabled from acting as custodian, the Trust should appoint the primary Claimant to act as custodian for the minor Derivative Claimant.

(2) In the case of a minor's Claim that is in excess than \$10,000, if the minor who is the subject of the Claim is a resident of a state that allows more than \$10,000 to be distributed to a custodian under that state's version of the Uniform Transfers to Minors Act, the Court authorizes the Trust to distribute funds to an adult member of the minor's family as custodian for the minor pursuant to that state's version of the Uniform Transfers to Minors Act. In the ordinary course of affairs, where a primary Claimant is a family member of a minor Derivative Claimant and is not otherwise disabled from acting as custodian, the Trust should appoint the primary Claimant to act as custodian for the minor Derivative Claimant.

(3) In the case of a minor's claim that may not be paid to a custodian pursuant to any state's Uniform Transfers to Minor Act, the Court authorizes the Trust to require the appointment of a guardian to receive the funds due to the minor and authorizes the Trust to distribute funds to the guardian.

(4) The Court authorizes the Trust to require the guardian of a beneficiary who is an incapacitated person or a minor to provide the Trust with a certified copy of a Court Order appointing such individual as guardian, and to require the representative of a deceased Diet Drug Recipient's Estate to provide the Trust with a Short Certificate or similar document conferring authority to act for the Estate of the Diet Drug Recipient. The Court further authorizes the Trust to require a guardian or personal

representative to agree to indemnify the Trust in the event of wrongful payment.

(5) The Court will appoint a Special Master before whom the guardian of a minor or incapacitated person or the representative of an Estate will be required to appear to show cause why a particular fee compromise, fee request or compromise of a subrogation claim reducing a recovery to a minor, incapacitated person or Estate should not be approved. Upon the request of the Special Master, if a minor or incapacitated person does not have a guardian, the Court will appoint a guardian ad litem to represent the interests of the minor or incapacitated person before the Special Master. The Special Master shall have the authority to approve, modify or deny the requests for attorneys' fees, subject to appeal in the manner provided for appeals of Claims determinations pursuant to the Settlement Agreement.

(6) The Trust may alter its procedures if an alteration is necessary to comply with any amended provisions of the Pennsylvania Uniform Transfers to Minors Act or other applicable law that relates to claims or on behalf of minors, incapacitated persons and deceased persons, and the Trust may alter its procedures if an alteration is permitted by those laws and if it will lead to economy and expedition in the provision of benefits under the Nationwide Class Action Settlement Agreement with American Home Products Corporation as amended.

ENTERED
APR - 5 2001
CLERK OF COURT


LOUIS C. BECHTLE, J.