

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:

SHEILA BROWN, *et al*,

Plaintiffs,

v.

Civil Action No. 99-20593

AMERICAN HOME PRODUCTS
CORPORATION,

Defendant.

PRETRIAL ORDER NO. 3511

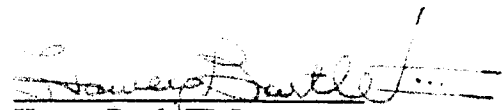
(Stay Relating to Matrix Level I and II Claims)

AND NOW, upon consideration of the Joint Motion for Stay submitted by Class Counsel, Wyeth, and Counsel for certain individual Class Members, and pursuant to the Court's authority under Sections VI.C.5 and VI.E.8 of the Settlement Agreement, it is hereby ORDERED:

- (1) All actions of the AHP Settlement Trust relating to the processing, auditing or payment of all claims potentially payable on Matrix Level I and/or Matrix Level II after initial intake, scanning and data entry, including but not limited to: preparation of such claims for Audit, transmittal of such claims to Audit, review of audit results, notices to claimants regarding deficiencies or audit steps, contests, petitions for show cause, pleadings and procedures in any pending show cause action, payment of claims and all actions and processes relating to any of the foregoing are STAYED as of the date of this Order.

- (2) All filings and discovery relating to the medical practices questionnaires or similar questionnaires in the Trust's Claims Integrity Program, all filings and other proceedings relating to the EchoMotion matter, the discovery sought from other echocardiogram companies, and other motions relating to the Trust's Claims Integrity Program and all discovery related to that Program or to motions thereunder, relating to any claims payable or potentially payable on Matrix Level I and/or Matrix Level II are STAYED as of the date of this Order.
- (3) All filings, discovery, deadlines, hearings, and other pleadings relating to the pending matters identified in the attached Exhibit B are STAYED as of the date of this Order.
- (4) The stay imposed by Paragraphs 1 through 3 above shall continue for a period of 60 days from the date of this Order and shall expire at such time unless further extended by Order of this Court, unless before such time any affected party shall establish to the Court good cause for relief from this Order in whole or in part.
- (5) The Trust shall post notice of the Joint Motion and of this Order on its official website and shall train its Call Center operators to explain it to persons who contact the Trust.
- (6) The Plaintiffs' Management Committee shall post notice of the Joint Motion and of this Order on its website and shall cause the Joint Motion and a copy of this Order to be served upon the approved MDL Service List and upon the Supplemental Service List attached to the Joint Motion.

BY THE COURT:


Harvey Bartle III, J.

May 6, 2004

EXHIBIT B

PENDING DISTRICT COURT PROCEEDINGS TO BE STAYED [As of 4/30/04]				
Item	Docket Number	Date Filed	Proceeding	Subject Matter
1.	1081	4/30/04	Motion to Suspend Deadlines Set in Audit Rules 4,8,9,11,14,16 and 18	Audit Rules
2.	1063	4/26/04	Will Pollard's Motion to Compel Payment and to Enforce the Settlement Agreement and PTOs 1415 and 2807 Against the AHP Settlement Trust	CIP/ Matrix Benefits
3.	1057	4/23/04	AHP Settlement Trust's Motion to Dismiss Claims Filed by Barbara J. Asbill, et al.(Leonard Claims)	CIP
4.	1044	4/16/04	AHP Settlement Trust's Motion to Dismiss Claims Filed by Mindy K. Anderson, et al (Liston Claims)	CIP
5.	1041	4/16/04	Claimant's Motion to Compel the Wyeth Settlement Trust to Process Their Claims that were Attested to by Dr. Linda Crouse & Dr. Richard Mueller, but were not Among Claims Addressed in PTO 2640	CIP
6.	1029	4/14/04	Motion for Relief from Medical Practices Questionnaires (Michael L. Hodges)	CIP
7.	1020	4/8/04	Certain Class Members' Emergency Motion for Order Directing the AHP Settlement Trust to Include Certain Data in its Report Regarding the Audit of Matrix Claims	Matrix Benefits
8.	994	4/1/04	Certain Class Members' Motion to Compel the AHP Settlement Trust to Accept Sworn Affidavits in Lieu of Medical Practices Questionnaires (Petroff & Associates, Shrager, Spivey & Sachs)	CIP
9.	990	3/31/04	Certain Class Members' Motion for Protective Order and to Compel Claims Processing and Objections to Medical Practices Questionnaire (Baron & Budd)	CIP

EXHIBIT B

PENDING DISTRICT COURT PROCEEDINGS TO BE STAYED [As of 4/30/04]				
Item	Docket Number	Date Filed	Proceeding	Subject Matter
10.	987	3/30/04	Wyeth's Emergency Motion for a Temporary Stay of Processing and Payment of Level I and Level II Matrix Claims to Address the Massive Number of Illegitimate Claims Filed With the Settlement	Matrix Benefits
11.	974	3/26/04	John Bacon III's Motion to Compel the AHP Settlement Trust to Pay Matrix Benefits upon the Trust Auditor's Findings	CIP/ Matrix Benefits
12.	971	3/24/04	AHP Settlement Trust's Motion to Stay Payment of all Post-Audit Claims where the Claimant Relies upon a Green Form, CAP 4 Verification, or Other Document Signed by John P. Orchard	CIP/ Matrix Benefits
13.	1040	4/16/04	Claimant Joseph Procopio's Motion to Compel Payment of Claim	Matrix Benefits
14.	943	3/10/04	AHP Settlement Trust's Motion to Compel the Production of Certain Documents, and Responses to Certain Deposition Questions from Kip Petroff and Douglas Welmaker	CIP
15.	USDC District of Kansas	3/3/04	Michael Hodge's Motion to Quash Subpoena, or, in the Alternative, Motion for Protective Order (Donna Dicken)	CIP
16.	USDC ND of Texas	3/1/04	Shawn Raver's Motion to Quash Subpoena and for Protective Order (Donna Dicken)	CIP
17.	848	1/27/04	AHP Settlement Trust's Motion to Stay Payment of all Claims with which George Fleming is or has been associated as Counsel	CIP
18.	844	1/27/04	Wyeth's Expedited Motion for Entry of a CAP to Preserve Settlement Funding and to Address the Pervasive Abuse of the Matrix Claims Process	Matrix Benefits

EXHIBIT B

PENDING DISTRICT COURT PROCEEDINGS TO BE STAYED
[As of 4/30/04]

Item	Docket Number	Date Filed	Proceeding	Subject Matter
19.	843	1/27/04	Wyeth's Motion for a Temporary Stay of Processing of "Non-Priority" Matrix Claims to Preserve Settlement Funding	Matrix Benefits
20.	814	1/16/04	AHP Settlement Trust's Motion to Disqualify all Petroff & Associates' Echocardiograms from Supporting Claims for Benefits	CIP
21.	815	1/16/04	AHP Settlement Trust's Motion to Stay Payment of all Claims submitted by Petroff & Associates as Primary Counsel or Co-Counsel and for Expedited Discovery	CIP
22.	807	1/16/04	Wyeth's Motion for Leave to take Discovery Regarding Echocardiogram Companies	CIP
23.	791	1/14/04	F&A Claimant's Objections to the Trust's Global Discovery, Motion for Protective Order and Opposition to Claims Processing Stay	Matrix Benefits/CIP
24.	753	1/5/04	Claimant Elbert Fry's Motion to Compel the AHP Settlement Trust to Pay Matrix Benefits upon the Trust Auditors Findings	Matrix Benefits
25.	746	12/29/03	Motion to Permit Discovery Regarding Additional Echocardiogram Companies	CIP
26.	723	12/22/03	Claimant's Motion to Compel Class Counsel to Disclose Evidence Relating to the Independent Echocardiographic Reviews Allegedly Performed by their Experts	Private Echocardiograms/ Deficiencies
27.	700	12/19/03	Certain Class Members' Motion to Compel Compliance with Court Order 3047	CIP/Trust Operations Plan
28.	701	12/19/03	Certain Class Members' Motion to Compel Production of Documents relating to Echocardiogram Screenings	EchoMotion Echocardiograms

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PENDING DISTRICT COURT PROCEEDINGS TO BE STAYED				
[As of 4/30/04]				
Item	Docket Number	Date Filed	Proceeding	Subject Matter
29.	601	11/19/03	Motion to Disqualify all EchoMotion Echocardiograms from Supporting Claims for Benefits	CIP
30.	600	11/19/03	AHP Settlement Trust's Motion to Stay Payment of all Claims Supported by EchoMotion Echocardiograms	CIP
31.	599	11/19/03	Class Member's Emergency Motion in Support of Approval of CAP 6	Matrix Benefits
32.	467	10/20/03	Claimant Linda Morales's Motion to Compel the AHP Settlement Trust to Pay Matrix Benefits (A-II) upon the Stipulation between the Parties and the Prior Orders of this Court	Matrix Benefits
33.	357	9/22/03	Certain Class Members' Motion for Access to Court and Renewed Motion for Reconsideration of PTO 2683	CIP/Trust Operation Plan
34.	101	6/19/03	Motion to Enforce Settlement Agreement, filed on behalf of Darlene Nesbitt	Matrix Benefits
35.	48	6/4/03	F&A Motion and Memorandum in Support to Change the Trust's Procedures to Ensure Timely Payment of Fund B Matrix Claims	Matrix Benefits
36.	Not Available	3/17/03	Motion of Claimant Samye Ellis for Specific Performance, Memorandum of Law and Form of Order	Matrix Benefits
37.	Not Available	3/19/03	Plaintiff's Motion to Compel Tentative Determination on Matrix Compensation Benefits Claim, filed on behalf of Nicole Fusco	Matrix Benefits

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