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9 LIAISON COUNSEL ON BEHALF OF THE
PHENTERMINE DEFENDANTS
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13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 FOR THE COUNTY OF LOS ANGELES

15 DIET DRUG LITIGATION) Judicial Council Coordination Proceeding
16) No. 4032
17)
18 THIS DOCUMENT RELATES TO ALL) Date: January 22, 1999
ACTIONS.) Time: 9:00 a.m.
19) Dept: SE"D"
Judge: Hon. Daniel Solis Pratt

20 REQUEST FOR JUDICIAL NOTICE

21 The Phentermine Defendants hereby request, pursuant to *Evidence Code* §§ 452 and
22 453, that the Court take judicial notice of the following matters in connection with the
23 hearing on Plaintiffs' Motion for Leave to Amend.

24 1. General Order No. 21, filed March 13, 1985 in the matter entitled *In re:*
25 *Complex Asbestos Litigation*, San Francisco County Superior Court Case No. 828 684
26 (attached as Exhibit "A");
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1 2. Plaintiffs' Opposition to Defendants' Petition for Entry of General Order
2 Regarding Identification/Dismissal of Phentermine Defendants (General Order No. 6) and
3 the Declaration of Mark P. Robinson, Jr., dated November 6, 1998 (collectively attached as
4 Exhibit "B").

5
6 Dated: January 15, 1999

HAIGHT, BROWN & BONESTEEL, L.L.P.

7
8 By: _____
9 Thomas M. Moore, Esq.
10 Mario Horwitz, Esq.
11 Attorneys for Defendant,
12 SMITHKLINE BEECHAM
13 CORPORATION, AND LIAISON
14 COUNSEL ON BEHALF OF THE
15 PHENTERMINE DEFENDANTS
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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss.:

COUNTY OF LOS ANGELES
Diet Drug Litigation
Judicial Council Coordination Proceeding No. 4032

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1620 26th Street, Suite 4000 North, Santa Monica, California 90404-4013.

On January 15, 1999, I served on interested parties in said action the within:

REQUEST FOR JUDICIAL NOTICE

by placing a true copy thereof in sealed envelope(s) addressed , as stated below, as stated on the attached service list.

I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

Executed on January 15, 1999, at Santa Monica, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Type or print name)

(Signature)

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PROOF OF SERVICE BY FACSIMILE

STATE OF CALIFORNIA)
) ss.:

COUNTY OF LOS ANGELES
Diet Drug Litigation
Judicial Council Coordination Proceeding No. 4032

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1620 26th Street, Suite 4000 North, Santa Monica, California 90404-4013.

On January 15, 1999, I served on interested parties in said action the within:

REQUEST FOR JUDICIAL NOTICE

by transmitting a true copy of said document from facsimile machine whose telephone number is (310) 829-5117, pursuant to California Rules of Court, Rule 2005. The facsimile machine I used complied with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2008(e), I caused the machine to print a record of the transmission, a copy of which is attached to this declaration. Said fax transmission occurred as stated in the transmission record attached hereto. Said fax transmission was directed, as follows:

Nancy Fineman, Esq.
Cotchett, Pitre & Simon
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Ph. No.: (650) 697-6000

Facsimile No.: (650) 697-0577

Executed on January 15, 1999, at Santa Monica, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Robin Schell

(Type or print name)

(Signature)

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