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9 Attorneys for Defendants and Cross-Complainants
AMERICAN HOME PRODUCTS CORPORATION and
10 WYETH-AYERST LABORATORIES COMPANY

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF LOS ANGELES – SOUTHEAST DISTRICT
13

14 KATHY TIFFITH and SHERRI SHARP,) J.C.C.P. 4032
)
15 Plaintiffs,) DD Nos. 718 (Sharp); 572 (Tiffith)
)
16 v.)
)
17 MANHATTAN WEIGHT CONTROL, et al.,) DECLARATION OF ADAM
) LE BERTHON IN SUPPORT OF
) OPPOSITION OF AHP TO MOTION
18 Defendants.) FOR CLASS CERTIFICATION AND
) PREFERENTIAL TRIAL SETTING
)
19) DATE: AUGUST 13, 1999
) TIME: 10:00 A.M.
) DEPT.: SE-D
20 AND RELATED CROSS-ACTION.)
)
21)
)

DECLARATION OF ADAM LE BERTHON

I, Adam Le Berthon, declare as follows:

1. I am an attorney licensed to practice law in the State of California, and I am associated with the law firm of Arnold & Porter. I am one of the attorneys of record for defendants American Home Products Corporation and Wyeth-Ayerst Laboratories Company in the action entitled Kathy Tiffith v. Manhattan Weight Control, et al., J.C.C.P. 4032. I have personal knowledge of the facts set forth herein, and if called as a witness I could and would testify competently thereto under oath.

2. I make this declaration in support of the Opposition of AHP to Motion for Class Certification and Preferential Trial Setting.

3. Attached hereto as Exhibit "1" is a true and correct copy of Plaintiff Kathy Tiffith's Fact Sheet dated October 27, 1998, as modified during her deposition.

4. Attached hereto as Exhibit "2" is a true and correct copy of Plaintiff Kathy Tiffith's Amendment to Fact Sheet dated May 11, 1999.

5. Attached hereto as Exhibit "3" is a true and correct copy of Plaintiff Sherri Sharp's Fact Sheet dated October 7, 1998.

6. Attached hereto as Exhibit "4" is a true and correct copy of Plaintiff Sherri Sharp's Amendment to Fact Sheet dated May 17, 1999.

7. Attached hereto as Exhibit "5" is a true and correct copy of Plaintiff Lydia Miller's Fact Sheet dated June 4, 1999.

8. Attached hereto as Exhibit "6" is a true and correct copy of the Response to Interrogatories served by Kathy Tiffith, Sherri Sharp and Lydia Miller on or about June 25, 1999.

9. Attached hereto as Exhibit "7" are true and correct copies of excerpts from the transcript of the deposition of Kathy Tiffith taken on July 20, 1999 and July 26, 1999.

10. Attached hereto as Exhibit "8" are true and correct copies of excerpts from the transcript of the deposition of Sherri Sharp taken on July 22, 1999.

11. Attached hereto as Exhibit "9" are true and correct copies of excerpts from the transcript of the deposition of Lydia Miller taken on July 9, 1999.

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