

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
JCCP 004032**

1	Date: Wednesday, December 17, 2003		<b>DEPT. SE D</b>
	HONORABLE DANIEL SOLIS PRATT      Judge	S. LITTLE	Deputy Clerk
	T. Hernandez      Courtroom Assistant	S. LOPEZ    #5154	Court Reporter
<b>10:00 am</b>	JCCP004032	Plaintiff Counsel	SEE BELOW
	IN RE: DIET DRUG CASES	Defendant Counsel	

NATURE OF PROCEEDINGS: **GENERAL STATUS CONFERENCE**

**Appearing on behalf of plaintiffs: Paul Kiesel, Carlos Prietto, David Smith, Peter Holt, Mary Alexander, Douglas Robins, Eric Rosemond (appearing telephonically), Peter Gezoukian.**

**Appearing on behalf of defendants: Barbara Reardon, Stuart Gordon, Mark Spooner, Tim Bradford, Gerald Lundahl, B. Elliot Johnson, Wayne Wolff, Joel Freeman, Leeza Gelfer-Mundl, Brent Caldwell, Bart Barringer (telephonic appearance), Melissa Fink (telephonic appearance), Lisa Ungerer(telephonic appearance).**

**The matter is called for hearing.**

**Mr. Spooner, defense liaison counsel and Mr. Kiesel, plaintiff liaison counsel inform the Court that they have met and conferred regarding case selection criteria. They agree that each side choose 10-15 individual cases for trial and present the list to the Court for final determination. However, they acknowledge there is a considerable amount of disagreement between various plaintiffs' counsel regarding any selection process or a random choosing of cases for trial.**

**Defense counsel inform the Court that they are still not receiving medical authorizations, due diligence, eco-tapes, product identification or fact sheets from plaintiffs' counsel and are therefore unable to make any determination as to which cases are suitable for trial.**

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Plaintiff  
Counsel

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IN RE: DIET DRUG CASES

Defendant  
Counsel

**Mr. Kiesel represents that by February 1, 2004, defendants should have all the appropriate and necessary documents needed for a selection process and request the Court consider late summer 2004 for trial dates. Defense counsel represent that they will need six months after getting the necessary documents to determine which cases should be set for trial and will not be prepared to go to trial at that time.**

**The Court suggests plaintiff's counsel make diligent efforts to supply defense counsel with the above listed documents prior to the next status conference. Absolute cooperation between counsel is needed. Otherwise, the Court will choose cases at random for trial instead of the preferred method of allowing counsel to make their own selection choices.**