

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

<p>1. Date: Wednesday, January 21, 2004</p> <p>HONORABLE DANIEL SOLIS PRATT Judge</p> <p>T. Hernandez Courtroom Assistant</p>	<p>DEPT. SE D</p> <p>S. LITTLE Deputy Clerk</p> <p>S. LOPEZ #5154 Court Reporter</p>	
<p>10:00 am</p>	<p>JCCP004032</p> <p>IN RE: DIET DRUG CASES</p>	<p>Plaintiff Counsel</p> <p style="text-align: center;">SEE BELOW</p> <p>Defendant Counsel</p>

NATURE OF PROCEEDINGS: **GENERAL STATUS CONFERENCE**

Appearing on behalf of plaintiffs: Paul Kiesel, Carlos Prietto, Jennifer Johnson, Mary Alexander, Peter Holt, Douglas Robins, William Kronenberg, Dina Simmons, Peter Gezoukian, Ron Laba, Kerri Webb (telephonic appearance), Michael Henderson (telephonic appearance) and Eric Rosemond (telephonic appearance).

Appearing on behalf of the defendants: Barbara Reardon, Stuart Gordon, James Reilly, Jennifer Cummings, Mark Spooner, David Stanley, Timothy Bradford, Michael Healy, Barry Marsh, David Sapienza, Joseph Greenslade, Leeza Gelfer-Mundle, Terrence Schafer, B. Johnson, Steven Odell, Melissa Fink, Samantha Feld, Susan Hack, Stephen Yurcich, Elizabeth Flatley, Joes Freeman (telephonic appearance), Lisa Ungerer (telephonic appearance), Bart Barringer (telephonic appearance).

The matter is called for hearing.

The Court has read and considered the status reports submitted by plaintiffs and defense counsel.

The Court informs counsel it believes the fairest way to approach the selection process as to which cases should be set for trial is for the Court to randomly choose 15 cases. Thereafter, plaintiff's executive committee and defense counsel executive committees would each select 15 cases to present to the Court. The Court would then select 5-6 cases from those lists for trial.

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Deputy Clerk

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Plaintiff
Counsel

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IN RE: DIET DRUG CASES

Defendant
Counsel

Plaintiffs' counsel approve of the Court's approach while defense counsel feel it is premature to be discussing trial dates at this time.

Plaintiff liaison counsel represent that after the Court randomly selects 15 cases, all required information and discovery as to those cases will be provided to defense counsel. The Court orders the discovery stay lifted as to those cases only.

Pharmacy/Health Care Provider liaison counsel inform the Court they may be filing a motion re: Judgment on the Pleadings after the selection process is completed.

Liaison counsel are ordered to meet and confer prior to the next status conference to discuss the status and time-line of their selected 15 (each) cases.

General status conference is set 3-04-2004, at 10:00 a.m., in this department.