

Date 05/11/1998

Department D

Judge Honorable DANIEL SOLIS PRATT

Deputy Clerk S. RAINWATER

Deputy Sheriff K. SCHMIDT

Reporter J. LIBERTY 2761

JCCP004032

JUDICIAL COUNSEL

VS

NO. 4032

IN RE: DIET DRUG CASES

Plaintiff Counsel:

Defendant Counsel:

Nature of Proceedings:

STATUS CONFERENCE

THE STATUS CONFERENCE IS HELD.

COUNSEL APPEARING ON BEHALF OF PLAINTIFF (IN ORIGINAL COORDINATED CASES OR LIASON COUNSEL IN THE PENDING ACTIONS) ARE AS FOLLOWS: FRANK PITRE; HECTOR GANCEDO; TINA NIEVES; JEFFREY MANOS; MARK ROBINSON; JOSEPH DUNN WILLIAM BERNSTEIN; ARTHUR SHERMAN. FOR THE DEFENDANTS (IN ORIGINAL COORDINATED CASES OR LIASON COUNSEL IN THE PENDING ACTIONS) APPEAR AS FOLLOWS: TIMOTHY BRADFORD; MARK SPOONER; RAMUNE BARKUS; GEORGE ZISER; ANN ASIANO; THOMAS MOORE; LEONARD BASINGER; R. JOSEPH DECKER.

THE COURT INDICATES THAT ALL PROCEEDINGS SHALL REMAIN

STAYED UNTIL THE CONTINUED STATUS CONFERENCE SET FOR JUNE 5, 1998 AT 10:00AM. FILING OF NEW ACTIONS IS NOT STAYED AND THE COURT FURTHER INDICATES THAT ALL ADD ON PETITIONS SHALL BE GRANTED. ORDERS GRANTING THE ADD ON PETITIONS SHALL BE ISSUED PURSUANT TO THE ORDER IN WHICH THEY WERE RECEIVED IN THIS DEPARTMENT.

AS TO THE PROPOSED CASE MANAGEMENT ORDERS SUBMITTED BY COTCHETT, PITRE & SIMON, THE COURT INDICATES AS FOLLOWS:

ITEM ONE (PRETRIAL CONSOLIDATION ETC.): THE COURT STAYS ANY RULING UNTIL THE FURTHER STATUS CONFERENCE BUT DOES INDICATE THE COURT'S INTENTION TO GRANT THE ITEM IF NO STIPULATION IS REACHED PRIOR TO 6-5-98.

ITEM TWO (MASTER PLEADINGS): THE COURT FURTHER INDICATES THAT THIS ISSUE SHALL BE ADDRESSED AT THE FURTHER STATUS CONFERENCE.

ITEM THREE (PRESERVATION OF DOCUMENTS) AND FOUR (PROTECTIVE ORDER): THE COURT STAYS A RULING UNTIL THE CONTINUED STATUS CONFERENCE BUT FURTHER INDICATES THAT THE COURT'S INTENTION IS TO GRANT BOTH ITEMS IF NO STIPULATION IS REACHED PRIOR TO 6-5-98.

THE COURT DIRECTS COUNSEL TO MEET AND CONFER RE SUBMISSION OF A PROPOSED AGENDA PRIOR TO THE NEXT STATUS CONFERENCE; IF NO AGREEMENT IS REACHED BOTH SIDES MAY SUBMIT PROPOSED AGENDAS.

THE COURT DIRECTS COUNSEL TO SUBMIT ANY DECLARATIONS RE DISPUTED CASE MANAGEMENT ORDERS NO LESS THAN FIVE DAYS PRIOR TO THE NEXT STATUS CONFERENCE.

THE COURT INTENDS TO SET ALL CASES FOR TRIAL IN THIS DISTRICT AND FURTHER INDICATES THAT TRIAL DATES MAY BE SET WITHIN 18 MONTHS.

COORDINATING ATTORNEY JOSPEH DUNN TO PREPARE A NOTICE OF RULING.

COUNSEL REPRESENTING PARTIES ON THE PENDING ACTIONS ARE AS FOLLOWS: JOHN ROBERTS; DAWN CRAIG; DANIEL DUNBAR; PAUL JANOFSKY; RAMON LOPEZ; BRIAN PANISH;

KRISTAL BOWMAN; VICENT J. BARTOLOTTA; BARRY MARSH;
JOHN STREETER; RAYMOND BLESSEY; JOSEPH BUTLER; JOHN
CHATOWSKI; ROBERT GIBSON; MICHAEL FITZSIMONS; JANET
KEUPER; THEODORE O'LEARY; CHARLOTTE LOWELL; KAREN
BRUECKNER; PATRICIA CARMICHAEL; JEROME VARANINI;
MICHAEL HEALY; MICHAEL RUGGLES; JENNIFER JOHNSON;
ELIZABETH SCHERER; CHARLES PREUSS; JEFFREY CARLSON;
THOMAS BRANDI; ANNE ANDREWS; FLETCHER ALFORD.