

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

1. Date: Monday, October 25, 1999			DEPT. SE D
HONORABLE DANIEL SOLIS PRATT	Judge	S. WORTHEN	Deputy Clerk
Y. KRANTZ	Deputy Sheriff	J. LIBERTY	Court Reporter
10:00 am	JCCP004032	Plaintiff Counsel	SEE BELOW
	IN RE: DIET DRUG CASES	Defendant Counsel	

NATURE OF PROCEEDINGS: **GENERAL STATUS CONFERENCE**

STATUS CONFERENCE AGENDA:

- 1) The effect or lack of effect of the proposed MDL Global Settlement on California fen-phen trial dates;**
- 2) Respond to questions regarding proposed national settlement;**
- 3) Issues relating to pre-trial schedule as set forth in General Order No. 10;**
- 4) PPH mandatory settlement conference and trial dates;**
- 5) Discussion re: defendants proposed General Order No.11 providing for automatic dismissal of cases for lack of product identification/ imposition of sanctions;**
- 6) Continuance of mandatory settlement conference dates on cases that are presently set for mediation;**

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Y. KRANTZ Deputy Sheriff

J. LIBERTY

Court Reporter

10:00 am

JCCP004032

Plaintiff
Counsel

IN RE: DIET DRUG CASES

Defendant
Counsel

Appearing on behalf of the plaintiffs: Mark Robinson, Carlos Prietto, David Leichenger, Barbara Reardon, Ramon Lopez, Peter Polos, Jashua Katz, Daniel Lanahan, Michael Updike, Joy Robertson, William Hirsch, Rodney Klein, T.L.Sedin, Tina Nieves, Nancy Fineman, Mark Burton, C.Jean Cain, Brian Panish, and William Dougherty;

Appearing on behalf of the defendants; Tim Bradford, Joseph Decker, Elizabeth Flatley, Kathleen Waters, Jerry Popovich, Janet Richardson, Theodore Prenovost, James Hansen, James Sinunu, Patricia Carmichael, John Reilly, Craig Berman, Alexander Cobb, Carolyn Doran, John Chatowski, Stuart Gordon, Lisa King, David Stanley, Kristi Helgeson, Mark Spooner, Michael Healy, Jane Olivas, Maureen Thomas, Jennifer Chan, Jerome Varanini, Sheila Salomon, Nancy Morrison, Frederick Erny, Josephine Lai, Christopher Toll, Ann Asiano, Christopher Bayuk, Russell Hiles, James Marshall, Steven Stone, Phillip Howard, Jennifer Johnson, Susan Hack, Surekha Pessis, Thomas Moore, Jon Brick, Thomas Mills, Matthew Trotter, and Brent Clemmer.

The matter is called for hearing.

Mr. Robinson discusses the MDL global settlement and its effects on the California fen-phen cases. PPH flowlan cases are not included in that settlement.

Counsel are to meet and confer regarding pre-trial issues, including witness designation cut off dates, generic motions in limine, Texas and/or MDL depositions.

Non-flowlan PPH cases will be the next priority cases set for mandatory settlement conferences/trials.

Counsel to meet and confer regarding the Matts (DD000070) case.

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Defendant
Counsel

Defense counsel discuss the need for General Order No. 11 re: automatic dismissal of cases for lack of product identification /imposition of sanctions. The Court suggests bringing case specific motions to dismiss for individual failures to comply.

Mr. Bradford is to submit a list of cases presently set for mandatory settlement conferences that have mediation set also. The mandatory settlement conferences set in those cases will be continued pursuant to stipulation of the parties, to a date past the mediation hearing date.

The Court reiterates its position regarding setting cases for mandatory settlement conferences. If mediation does not settle the case and the case has not been set for a mandatory settlement conference/trial, the Court will set mandatory settlement conference/trial dates accordingly.

Next general status conference is set 12-10-99, at 10:00 a.m. in this department.