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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

IN RE DIET DRUG LITIGATION)
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THIS DOCUMENT RELATES TO:)
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ALL ACTIONS)
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Judicial Council
Coordination Proceeding
No. 4032

**GENERAL ORDER NO.20:
PRE-TRIAL DATES FOR
NON-RANDOMLY-SELECTED
"INTERMEDIATE OPT-OUT"
AND "BACK-END OPT-OUT"
CASES**

The Court recently entered General Order No.19, which establishes a schedule for fifteen "intermediate opt-out" and "back-end opt-out" cases. Those cases were randomly selected by the Court from the actions on the Court's docket in JCCP No.4032. The Court has indicated that it also intends to select another group of cases by means of a non-random procedure; and the Court asked the Plaintiffs' Executive Committee and counsel for defendant Wyeth to attempt to agree on a procedure whereby those cases would be selected and worked up for trial.

Liaison counsel for plaintiffs and defendant Wyeth have submitted a proposed procedure for selecting the additional group of cases, together with a proposed schedule for handling those cases. The Court finds that the proposed procedure and schedule are

1 procedure and schedule shall apply to the additional group of cases
2 that the parties will propose to the Court (hereinafter, "Round II
3 Cases"):

4 Wyeth and Plaintiffs' Executive Committee shall August 23, 2004
5 each submit to the Court a list of ten cases they
6 believe should be included in the Round II Cases.

6 The Court will conduct a hearing to discuss the August 30, 2004
7 parties' proposed case selections. The Court will
8 select ten of the twenty cases to be included in
9 the Round II Cases.

9 After some of the fact discovery has occurred in October 21, 2004
10 the Round II Cases, Wyeth and Plaintiffs' Executive
11 Committee shall each submit proposals for selecting
12 five of the ten cases for full trial work-up,
13 together with any proposals they may have as to the
14 order in which those cases should be tried.

12 The Court will conduct a hearing to discuss the October 25, 2004
13 parties' proposed case selections and will select
14 five of the Round II Cases for full trial work-up.

14 All parties shall serve expert witness November 8, 2004
15 designations and shall disclose their experts'
16 availability for depositions in the five selected
17 Round II Cases.

17 All parties shall serve supplemental/counter November 18, 2004
18 expert witness designations and advise on
19 those experts' availability for depositions
20 in the five selected Round II Cases.

19 All parties shall complete their non-expert December 15, 2004
20 discovery in the five selected Round II Cases;
21 and plaintiffs shall serve their non-case-specific
22 exhibit lists and their designations of non-case-
23 specific deposition testimony in the five selected
24 Round II Cases.

23 Defendants shall serve their non-case-specific December 22, 2004
24 exhibit lists and their designations of non-case
25 specific deposition testimony in the five selected
26 Round II Cases.

25 All parties shall complete their expert discovery December 22, 2004
26 in the five selected Round II Cases.

27 Page 2 of 3
28 All parties shall serve case-specific exhibits January 3, 2005
29 lists, designate case-specific deposition testimony

1 and serve final trial witness lists in the five
2 selected Round II Cases.

3 All parties shall file motions in limine, January 10, 2005
4 other pre-trial motions, and proposed jury
5 instructions and vior dire materials in the
6 five selected Round II Cases.

7 First Round II trial begins. January 24, 2005

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10 Dated: March 4, 2004

S/P
Honorable Judge Daniel S. Pratt
Judge of the Superior Court

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