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Submitted on Behalf of the Plaintiffs' Executive Committee
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13 COORDINATION PROCEEDING)
SPECIAL TITLE: IN re DIET DRUGS (FEN-)
14 PHEN))
_____)

Judicial Council Coordination
Proceeding No. 4032

**ORDER RE SCOPE OF DISCOVERY FOR
CASES SET FOR MANDATORY
SETTLEMENT CONFERENCE BUT NOT
SET FOR TRIAL**

Date: August 13, 1999
Time: 10:00 a.m.
Dept: SE-D
Hon. Daniel S. Pratt

21 The issue of the scope of discovery in cases set for Mandatory Settlement Conference, but not set
22 for trial came on for hearing on August 13, 1999 before the Honorable Daniel S. Pratt of the above-entitled
23 court. The Court having heard oral argument in this matter and good cause appearing therefor, IT IS
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1 ORDERED that:

- 2 1. This order only relates to Primary Pulmonary Hypertension cases which have been set for
3 mandatory settlement conference, but have not been set for trial.
- 4 2. Absent court order or stipulation between the parties, in cases where the Court has set a
5 mandatory settlement conference, the defendants may take the following limited discovery
6 commencing September 1, 1999:
- 7 a. The plaintiff may be deposed for no longer than four (4) hours total. If plaintiff's
8 medical condition so requires, the depositions shall be taken in multiple sessions
9 each session shall only last as long as plaintiff is able to continue.
- 10 b. Defendants may take the depositions of three (3) non-defendant treating physicians.
11 Each deposition shall last no longer than two (2) hours.
- 12 c. The parties may not take any other discovery, including written discovery.
- 13 3. Discovery in all other pending cases, except those set for trial and except for that discovery
14 allowed in General Order No. 5, remains stayed.
- 15 4. If a case set for Mandatory Settlement Conference is not resolved and thereafter set for
16 trial, defendants may renote any deposition previously taken pursuant to this Order.
17 Defendants may ask questions in a subsequent deposition on the same issues as the prior
18 deposition as long as the questions are not duplicative or cumulative.

19 Dated: August 31, 1999

20 /s/ Daniel Solis Pratt
21 Hon. Daniel Solis Pratt
22 JUDGE OF THE SUPERIOR COURT
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