

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE: DIET DRUGS (PHENTERMINE/  
FENFLURAMINE/DEXFENFLURAMINE)  
PRODUCTS LIABILITY LITIGATION

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MDL DOCKET NO. 1203  
2:15 MD 1203

THIS DOCUMENT RELATES TO:

CIVIL ACTION  
NO. 99-20593

SHEILA BROWN, et al.

v.

AMERICAN HOME PRODUCTS  
CORPORATION

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THIS DOCUMENT RELATES TO:

Claimant: Lula Beach, Executor of the  
Estate of James L. Beach, Deceased

Claim No.: 183/00 2436111

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PRETRIAL ORDER NO. 4001

ORDER SETTING BRIEFING SCHEDULE FOR APPEAL FROM REPORT AND AWARD  
OF ARBITRATOR

On August 25, 2004, Claimant Lula Beach, Executor of the Estate of James L. Beach, Deceased ("Claimant") filed a Notice of Appeal from the Report and Award of the Arbitrator who presided over her appeal from the AHP Settlement Trust's Final Determination on her Claim for

~~Matrix Compensation Benefits.~~ AND NOW, this 30<sup>th</sup> day of September 2004, it is hereby

ORDERED that:

1. The Chair of the Arbitration Panel ("Chair") shall number the pages of the arbitration

record consecutively and, within ten (10) days of the date of this Order, shall provide to the Court, the Claimant and counsel for the AHP Settlement Trust a complete copy of the arbitration record.

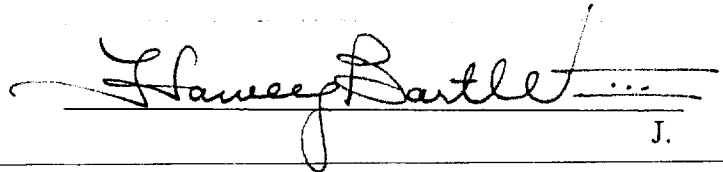
2. Within thirty (30) days of the date of this Order, Claimant shall file and serve an appellate brief, which shall include a statement of the issues presented for review, a summary of Claimant's argument and a conclusion stating the precise relief sought. Claimant's brief shall not exceed twenty (20) pages in length.

3. Within twenty (20) days of service of Claimant's brief, the AHP Settlement Trust shall file and serve a responsive brief. The AHP Settlement Trust's responsive brief shall not exceed twenty (20) pages in length.

4. Within eleven (11) days of service of the AHP Settlement Trust's responsive brief, Claimant may file and serve a reply brief. Claimant's reply brief, if any, shall not exceed ten (10) pages in length.

5. All references to the arbitration record in the parties' briefs shall be to the pages of the record as marked by the Chair. The Court will not consider evidence that is not part of the arbitration record.

SO ORDERED:

  
J.

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