

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

IN RE: DIET DRUGS : MDL DOCKET NO. 1203
(PHENTERMINE, FENFLURAMINE, :
DEXFENFLURAMINE) PRODUCTS :
LIABILITY LITIGATION :
: :
THIS DOCUMENT RELATES TO: :
: :
----- :
SHEILA BROWN, et al. :
: :
v. :
: :
AMERICAN HOME PRODUCTS :
CORPORATION : CIVIL ACTION NO. 99-20593

PRETRIAL ORDER NO. 3503

AND NOW, on this 4th day of May, 2004, because of a mistake in referring to "mitral valve regurgitation" rather than "aortic valve regurgitation" in Pretrial Order ("PTO") No. 3490, it is hereby ORDERED that:

(1) PTO No. 3490 is VACATED;

(2) the plaintiff, Lanna Nustad, and her agents, attorneys, and derivative claimants are ENJOINED in the case of Campbell-Reese, et al. v. Wyeth Ayerst Laboratories Co., et al., No. 254-02, 115th Judicial District, pending in Upshur County, Texas, from introducing any evidence, making any statements before or argument to the court or jury related directly or indirectly to:

(a) punitive, exemplary, or multiple damages,

however described;

(b) malicious, wanton, or other similar conduct of Wyeth, however described;

(c) or any medical condition of plaintiffs caused by Wyeth other than left-sided aortic valve regurgitation or pulmonary hypertension secondary to aortic valve regurgitation.

(3) without limitation as to the scope of the injunction set forth in ¶ 1, the plaintiff, Lanna Nustad, and her agents, attorneys, and derivative claimants are ENJOINED in the case of Campbell-Reese, et al. v. Wyeth Ayerst Laboratories Co., et al., No. 254-02, 115th Judicial District, pending in Upshur County, Texas, from introducing any evidence, making any statements before or argument to the court or jury related directly or indirectly to:

(a) Wyeth's profits, size, or financial condition;

(b) the amount or size of Wyeth's sales of diet drugs or other products;

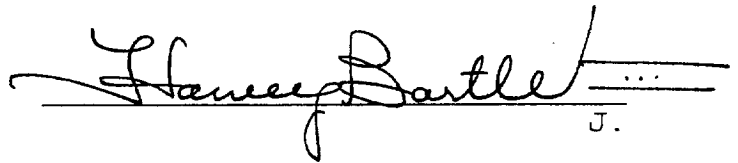
(c) Wyeth's marketing or promotion of diet drugs to the extent that Wyeth placed marketing or promotion ahead of health or safety concerns;

(d) any deception or any destruction, hiding, overwriting, or deliberate miscoding of documents or information by Wyeth;

- (e) any involvement by Wyeth in the ghostwriting of articles;
- (f) primary pulmonary hypertension ("PPH");
- (g) neurotoxicity;
- (h) any disease, illness, or condition, or persons suffering from any disease, illness, or condition caused by Redux or Pondimin except for left-sided valvular heart disease or pulmonary hypertension secondary to left-sided valvular heart disease; and
- (i) the "four cases label" for Pondimin and the "black box warning" for Redux in 1995 and 1996; and

(4) the parties shall deliver forthwith to the state trial judge a copy of this Pretrial Order.

BY THE COURT:



J.