

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

IN RE: DIET DRUGS (PHENTERMINE/  
FENFLURAMINE/DEXFENFLURAMINE)  
PRODUCTS LIABILITY LITIGATION :  
: MDL DOCKET NO. 1203  
: :  
: :  
THIS DOCUMENT RELATES TO: :  
: :  
: :  
CAROL and ARMOND ASERINSKY, h/w : C.A. NO. 98-20000  
: :  
: :  
v. :  
: :  
A.H. ROBINS, INC. and WYETH-AYERST :  
LABORATORIES, A Division of :  
American Home Products Corporation :  
: :  
: :

PRETRIAL ORDER NO. 1012

AND NOW, TO WIT, this <sup>7th</sup> day of December, 1999, upon  
consideration of plaintiffs' motion and the response of the Plaintiffs'  
Management Committee (PMC) the court will deny the plaintiffs' motion.

The question of an equitable contribution by those who  
benefit from the services of others is a well established doctrine  
especially applicable to aggregated civil actions like those assembled  
in a transferee court under 28 U.S.C. § 1407. The court's pretrial  
orders 467 and 517 were based upon that doctrine.

The plaintiffs' motion is DENIED.

SO ORDERED.

BY THE COURT:

  
LOUIS C. BECHTLE, J.