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

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

FILED JAN 10 2000

MDL DOCKET NO. 1203

PRETRIAL ORDER NO. 1052

AND NOW, this 10th day of JAN. 2000, it is hereby ORDERED the Amended Decision and Recommendation No. 39 of Special Discovery Master (as to Non-Compliant Plaintiffs) is AFFIRMED.

It is FURTHER ORDERED the Plaintiffs listed on Exhibit A appear before this Court to show cause why their cases should not be dismissed for lack of prosecution on Feb. 10, 2000. At 2:00 p.m.

It is FURTHER ORDERED the Plaintiffs listed on Exhibit B hereto appear before this Court to show cause why they should not be sanctioned for failure to fully comply with the fact sheet requirements of Pretrial Order No. 22 on Feb. 10, 2000. At 2:00 p.m.

BY THE COURT:



BECHTLE, J.

ENTERED: _____ JAN 11 2000

CLERK OF COURT

EXHIBIT A

Exhibit A

**Delinquent Plaintiff Fact Sheets
(as of 11/8/99)**

Case	Due Date	E. D. Pa. Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status
FLORIDA							
Sklute	9/15/99	99-20318	S. D. FL	Donna Sklute	Ronald Benjamin	NOT RECEIVED	10/4/99 Notification
LOUISIANA							
Boxie, et al.	6/15/99	99-20108	W.D. LA	Sharon Boxie	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Josephine Clark	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Tammy Cole	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	James Coleman	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Tenna Courville	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Pam Cradure	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Linda Dillard	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Becky Dorociak	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification

Case	Due Date	E. D. Pa. Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status
Boxie, et al.	6/15/99	99-20108	W.D. LA	Juanita Fontenot	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Katrina Galbreath	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Velma Gallien	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Ira Griffin	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Alice Guillory	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Lottie Henderson	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Catherine Jackson	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Paulette Lebrun	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Joe Malnerick	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Jeannie Manard	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Bonnie Marcantel	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Jawanna Mayo	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification

Case	Due Date	E. D. Pa. Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status
Boxie, et al.	6/15/99	99-20108	W.D. LA	Elaine Metclaf	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Dong Milburn	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Charlene Moreau	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Cathy Morrow	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Karen Meyers	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Frances Nero	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Chantell Orphey	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Bumell Peters	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Angela Pickens	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Jimmie Robertson	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Joanne Robinson	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Mary Semien	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification

Case	Due Date	E. D. Pa. Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status
Boxie, et al.	6/15/99	99-20108	W.D. LA	Donna Simon	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Belinda Smith	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Jennifer Smith	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Sadie Smith	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Kathleen Sonnier	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Gene Stubblefield	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Kristi Taylor	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Penny Thompson	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Yvonne Thibodeaux	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Marilyn Tillis	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Arizona Trent	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Charles Troutman	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification

Case	Due Date	E. D. Pa. Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status
Boxie, et al.	6/15/99	99-20108	W.D. LA	Laverge Trump	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Donna Washington	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Veronica Washington	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Boxie, et al.	6/15/99	99-20108	W.D. LA	Melissa Wilson	Jeffery T. Gaughan	NOT RECEIVED	7/12/99 Notification
Hampton, et al.	8/15/99	99-20248	M. D. LA	Shirley McCorkle	Donald G. Cave	NOT RECEIVED	8/23/99 Notification
Wallace	8/15/99	99-20242	W.D. LA	Joy Wallace	LeBlanc, Maples & Wallace	NOT RECEIVED	8/23/99 Notification
NEW YORK							
Clark	9/15/99	99-20325	S.D. NY	Peggy Clark	Ness, Motley, Loadholt, Richardson & Poole	NOT RECEIVED	10/4/99 Notification
Cleary	9/15/99	99-20324	S.D. NY	Mary Cleary	Ness, Motley, Loadholt, Richardson & Poole	NOT RECEIVED	10/4/99 Notification
OHIO							
Holloman-Rogers	8/15/99	99-20255	N.D. OH	Annie Holloman-Rogers	Lowe, Eklund & Wakefield	NOT RECEIVED	10/4/99 Notification

EXHIBIT B

Exhibit B

**Deficient Plaintiff Fact Sheets
(as of 11/8/99)**

Case	Due Date	E.D. PA Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status	Deficiency Response
ALABAMA								
Matthews	8/15/99	99-20236	N. D. AL	Venona Matthews	Pittman, Hooks, Dutton & Hollis	Significant failure to complete PFS	8/23/99 Notification	Significant failure to complete PFS
FLORIDA								
Baker	8/15/99	99-20238	S. D. FL	Marion Baker	Fenstersehieb & Fox	LMP incomplete; Failure to provide specific dates and identify prescribing physician in Section VI A	8/23/99 Notification	LMP incomplete; Failure to provide specific dates and identify prescribing physician in Section VI A
Brenes	9/15/99	99-20304	S.D. FL	Dorothy Brenes	Fenstersehieb & Fox	Failure to provide adequate address information in LMP	9/30/99 Notification	Failure to provide adequate address information in LMP
Fevrier	8/15/99	99-20198	S.D. FL	Rebecca Fevrier	Fenstersehieb & Fox	Improperly executed MA; Failure to provide specific dates of drug usage in Section VI A	8/23/99 Notification	Improperly executed MA; Failure to provide specific dates of drug usage in Section VI A

Case	Due Date	E.D. PA Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status	Deficiency Response
Greenburg	8/15/99	99-20237	S.D. FL	Carol Greenburg	Fensterheib & Fox	Failure to provide MDL form MA; Failure to provide dates of drug usage in section VI A	8/23/99 Notification	Failure to provide MDL form MA; Failure to provide dates of drug usage in section VI A
Monteabaro	8/15/99	99-20220	S.D. FL	Norma Monteabaro	Fensterheib & Fox	Failure to provide dates of drug usage in Section VI A	8/23/99 Notification	Failure to provide dates of drug usage in Section VI A
KENTUCKY								
Traylor	9/15/99	99-20273	E.D. KY	Hallie Traylor	Pruitt & Richendollar	Failure to provide MAs	10/4/99 Notification	Failure to provide MAs
LOUISIANA								
Boxie, et al.	6/15/99	99-20108	W.D. LA	Kim Christ	Jeffery T. Gaughan	Invalid MA: To and Rep portions incorrectly completed; Failure to identify prescribing MD	7/12/99 Notification	Invalid MA: To and Rep portions incorrectly completed; Failure to identify prescribing MD
Boxie, et al.	6/15/99	99-20108	W.D. LA	Ken Paxson	Jeffery T. Gaughan	Invalid MA: To portion is incorrectly completed	7/12/99 Notification	Invalid MA: To portion is incorrectly completed
Boxie, et al.	6/15/99	99-20108	W.D. LA	Bernita Tramonte	Jeffery T. Gaughan	Failure to identify and provide address information for prescribing physician	7/12/99 Notification	Failure to identify and provide address information for prescribing physician

Case	Due Date	E.D. PA Case Number	Transferor District	Plaintiff	Plaintiff's Counsel	Deficiency	Deficiency Status	Deficiency Response
Hebert, et al.	6/15/99	99-20098	M.D. LA	Shaun Michelle Jarrell	Smith, Jones & Fawer	Failure to provide correctly executed MA; Failure to identify and provide address information for prescribing physician	9/30/99 Notification	Failure to provide correctly executed MA; Failure to identify and provide address information for prescribing physician
Vernon	6/15/99	99-20090	W.D. LA	Pam Vernon	LeBlanc, Maples & Waddell	Failure to identify prescribing physician	9/30/99 Notification	Failure to identify prescribing physician
NORTH CAROLINA								
Grandham	8/15/99	99-20213	E.D. NC	Marilyn Grandham	Ness, Motley, Loadholt, Richardson & Poole	Failure to provide specific dates of drug usage in Section VI A	8/23/99 Notification	Failure to provide specific dates of drug usage in Section VI A
OHIO								
Burger	8/15/99	99-20256	N.D. OH	Lee Anne Burger	Lowe, Eklund & Wakefield	Failure to provide MAs; Failure to provide prescribing physician's address	10/4/99 Notification	Failure to provide MAs; Failure to provide prescribing physician's address
Ross	8/15/99	99-20254	N.D. OH	Adam Ross	Lowe, Eklund & Wakefield	Failure to provide LMP and MAS	10/4/99 Notification	Failure to provide LMP and MAS