

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
----- :
WILLIAM JOSEPH MITCHELL, et al. :
v. :
AMERICAN HOME PRODUCTS CORP., :
et al. : CA No. 98-20498

FILED JAN 10 2000

PRETRIAL ORDER 1053

AND NOW, TO WIT, this 10th day of January, 2000, upon consideration of the motion of Russ M. Herman, Maury A. Herman and Stephen J. Herman to withdraw as counsel for William J. and Mavis D. Mitchell (docket #201314), IT IS ORDERED that withdrawal of counsel is permitted, subject to the following conditions:

1. Plaintiffs' counsel shall send a letter to the plaintiffs by certified mail that will include the following:

- (a) a copy of this Order;
- (b) a statement outlining to plaintiffs the importance of plaintiffs proceeding on this case with counsel familiar with the law and the procedure in the federal court of cases similar to this case;
- (c) plaintiffs' counsel letter shall also provide that plaintiffs shall have thirty (30) days from the date of this Order to secure new counsel if plaintiffs intends to proceed with counsel in this manner;

(d) plaintiffs' counsel letter shall also state that the court intends to grant present plaintiffs' counsels' motion to withdraw at the expiration of the thirty (30) day period, and the case shall proceed on its normal trial schedule whether or not plaintiffs have secured new counsel;

(e) plaintiffs' counsel may include any other matter that plaintiffs' counsel believes is pertinent in the letters to plaintiffs.

2. Plaintiffs' counsel shall file with the Clerk of Court within ten (10) days of the date of this Order a certificate that both evidences that plaintiffs' counsel has complied with all of the foregoing requirements of this Order and states the plaintiffs' last known address.

3. Thirty (30) days from the date of this Order, provided all of the foregoing steps have been completed by plaintiffs' counsel, plaintiffs' counsel shall be deemed to be released from further responsibility to the court as counsel for plaintiffs in this civil action.

SO ORDERED.



LOUIS C. BECHTLE, J.

JAN 11 2000

ENTERED: _____

CLERK OF COURT