

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

FILED JAN 12 2000

PRETRIAL ORDER NO. 1058

AND NOW, TO WIT, this 12th day of January, 2000, upon consideration of Plaintiffs' Emergency Motion for Protective Order and Supplemental Emergency Motion for Protective Order, IT IS ORDERED that said motions are GRANTED. IT IS FURTHER ORDERED that the prohibitions on discovery imposed by Pretrial Order No. 22 shall remain in effect until further order of the court.

The discovery requests filed on the Brown class representatives and class counsel that are the subject of the instant motions were initiated by "New York Intervenors," "New York Plaintiffs" and "Texas Plaintiffs." Although the discovery is signed by various counsel from New York and Texas, none of the counsel identify the plaintiffs they purport to represent.

Consequently, the court is unable to determine whether these parties have standing to file papers and seek discovery in this action. Prior to initiating any discovery, these parties must identify themselves and establish their right to intervene for the challenged discovery, either by formally objecting to the settlement or by seeking intervention pursuant to the Federal Rule of Civil Procedure 24. Because these parties have not done so, the court grants the Brown Plaintiffs' motion for a protective order.

BY THE COURT:



LOUIS C. BECHTLE, J.

ENTERED: JAN 13 2000

CLERK OF COURT