

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

IN RE: DIET DRUGS (PHENTERMINE/ :
FENFLURAMINE/DEXFENFLURAMINE) : MDL DOCKET NO. 1203
PRODUCTS LIABILITY LITIGATION :

PRETRIAL ORDER NO. 522

FILED MAR 23 1999

AND NOW, this 23rd day of March, 1999, at a hearing held on this day, the Court ruled as follows:

A. Defendant, American Home Products Corporation's Motion to Compel Enforcement of Subpoena Duces Tecum Against Third-Parties is withdrawn.

B. Motion of Non-Parties Mayo Foundation and Heidi M. Connolly, M.D. ("Dr. Connolly") for Protective Order is withdrawn.

C. All outstanding subpoenas of Dr. Connolly and/or the Mayo Foundation are withdrawn and all motions concerning those subpoenas are moot.

D. There will be no further depositions of Dr. Connolly and/or the Mayo Foundation in this MDL proceeding without further order of the Court for good cause shown.

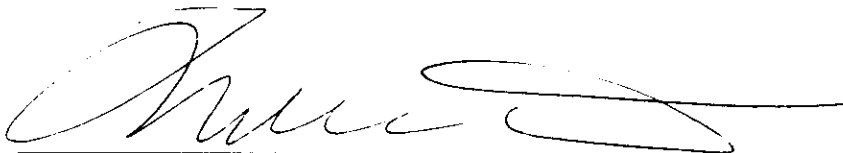
E. The deposition of Dr. Connolly will proceed according to the following terms:

1. Dr. Connolly will submit to a deposition on a minimum of thirty (30) days notice on a mutually agreeable date to take place

in Rochester, Minnesota at the Mayo Foundation Legal Department, unless another site is agreed upon by Dr. Connolly.

2. The deposition will be fact based and Dr. Connolly will not answer opinion questions. In particular, questions may be asked concerning the factual basis for the article she published in the New England Journal of Medicine, questions may be asked about what statements she has made at medical conferences or symposia, and questions may be asked about the factual basis for such statements at the medical conferences or symposia or concerning the New England Journal of Medicine article. No questions concerning opinions, thought processes, or other non-factual matters will be allowed.

3. Questions may be asked concerning Dr. Connolly's contact with any party in this action and its representatives and with the FDA.



Honorable Louis C. Bechtle

ENTERED: 3:24.59

CLERK OF COURT