

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: :
: :
SHELIA BROWN, et al :
: :
v. : CIVIL ACTION NO. 99-20593
: :
: :
AMERICAN HOME PRODUCTS :
CORPORATION :

FILED NOV 30 1999

PRETRIAL ORDER NO. 1000

WHEREAS, this Court has subject matter jurisdiction over the above-captioned case ("BROWN") pursuant to 28 U.S.C. § 1332; and

WHEREAS, this Court has acquired personal jurisdiction over the parties in the case entitled Burch v. American Home Products Corporation, Civil Action No. 97-C-204(1-11), pending in the Circuit Court of Brooke County, West Virginia, ("Burch"); and

WHEREAS, Movant American Home Products Corporation has demonstrated at a hearing held this 29 day of November 1999, that the continued prosecution of the Burch action interferes with this Court's jurisdiction over the Brown action and the national diet drug settlement; and

WHEREAS, this Court finds that a Temporary Restraining Order against prosecution of the Burch action is necessary to protect said jurisdiction;

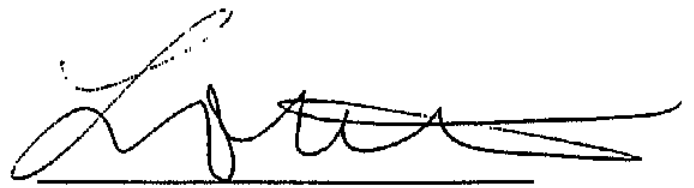
It is hereby ORDERED that pursuant to the All Writs Act, 28 U.S.C. § 1651 and the Anti-Injunction Action, 28 U.S.C. § 2283,

effective 11/29/99 at 5⁴⁵ P.M. EST. to 12/8/99 AT 4 P.M. EST., the parties in the Burch case, and any other class member, person, representative, or entity acting on their behalf or in concert with such parties, including but not limited to the attorneys for such parties, are (1) temporarily restrained from prosecuting, continuing to prosecute, commencing, litigating, intervening in or participating in a class action in any other court based on or relating to the facts and circumstances underlying the claims and causes of action that are alleged in the Brown complaint or that are sought to be released in connection with the settlement of that case, and (2) are temporarily restrained from producing any further notice to any members of the class which has been certified pursuant to Pretrial Order No. 997.

It is further ORDERED that a hearing shall take place on Thursday, December 2, 1999, in Courtroom 17B of the United States District Courthouse, 601 Market Street, Philadelphia, PA 19103, at 4:00 o'clock p.m., at which time the restrained parties may appear and present evidence and argument as to why this Court should not enter a preliminary injunction indefinitely extending the Temporary Restraining Order issued by the instant Order.

BY THE COURT:

Dated: 11/29/99
5⁴⁵ P.M.



LOUIS C. BECHTLE, J.

ENTERED: _____ DEC - 1 1999

\$100 Bond Received
Plr filed with the Court 5⁴⁵ P.M. EST.
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CLERK OF COURT