

#100125

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

**FILED**

IN RE: DIET DRUGS (PHENTERMINE/MAY 1:1 1998  
FENFLURAMINE/DEXFENFLURAMINE) : MDL DOCKET NO. 1203  
PRODUCTS LIABILITY LITIGATION MICHAEL E. KUNZ, Clerk

By \_\_\_\_\_ Dep. Clerk

PRETRIAL ORDER NO. 126

AND NOW, TO WIT, this \_\_\_\_\_ day of \_\_\_\_\_, 1998,

the court by this Order designates:

ROBERT SPINELLI, ESQUIRE  
KELLEY, JASONS, MC GUIRE & SPINELLI  
1617 JFK BOULEVARD, SUITE 1400  
ONE PENN CENTER  
PHILADELPHIA, PA 19103  
(215-854-0658)

to serve as defendants' liaison counsel for those defendants  
named in the within multidistrict litigation and included in MDL-  
1203 whose activity is known or alleged to be that of a retailer  
of a type of diet substances that are central to this  
multidistrict litigation. Counsel will be designated as  
"retailers' liaison counsel".

The duties of liaison counsel will be to receive, and  
as appropriate, distribute to counsel of record for other present  
and future parties who are assigned by the court to liaison  
counsel's group Orders from the court, and if necessary from time  
to time, other documents or information.

At such time as a party becomes identified with a civil  
action number in MDL-1203, the court notifies counsel of record

of the civil action number assigned in this district. The communication from the court will include a list of liaison counsel and the group they are representing. Liaison counsel will receive a copy of each notice sent to counsel of record. In order to assure that a party receives a copy of all court orders to be distributed by liaison counsel, it is each party's responsibility to notify the appropriate liaison counsel of their entry into MDL-1203 as soon as that party receives notice from the court that a civil action number has been assigned to that party's case in this district for MDL-1203. In the case of retailers the party will be advised that Mr. Spinelli is liaison counsel for the retailers group.

Liaison counsel appointed by this Order is entitled to be compensated for the fair and reasonable fees and costs that may be incurred by him in fulfilling his duties hereunder. The court will leave it to liaison counsel at this time to develop the most satisfactory means of achieving that entitlement by reason of this appointment. The court stands ready to assist liaison counsel in that regard at such time and in such manner as would be necessary.

**SO ORDERED.**

BY THE COURT:

LOUIS C. BECHTLE, J.