

EXHIBIT B

IN THE CIRCUIT COURT OF PUTNAM COUNTY, WEST VIRGINIA

SHIRLEY WHITE, CATHY DENNISON, and
JENNY L. TYLER, on behalf of themselves
and a class of others similarly situated,

Plaintiff,

v.

Civil Action Number 04-C-127
O.C. Spaulding, Judge

WYETH, f/k/a AMERICAN HOME
PRODUCTS, d/b/a WYETH-AMHERST
LABORATORIES, DANNEMILLER
MEMORIAL EDUCATION FOUNDATION,
and KETCHUM, INC.,

Defendants.

FILED
2009 JUN 19 PM 2:31
PUTNAM COUNTY COURT

ORDER ISSUING CERTIFICATE OF CERTIFIED QUESTION

In concurrence with this Court's *Order Denying Defendants' Motion to Dismiss and Alternatively, for Summary Judgment, but Certifying a Legal Question to the West Virginia Supreme Court of Appeals*, entered simultaneously herewith, the Court hereby enters the following Certificate pursuant to Rule 13 of the West Virginia Rules of Appellate Procedure.

The Court submits the following question:

Does the "as a result of" language in Section 46-6-106(a) of the West Virginia Consumer Credit and Protection Act require a plaintiff, in a private cause of action under the Act, to allege and

prove that he or she purchased a product because of and in reliance upon an unlawful deceptive act?

This Court answers the question in the negative and finds that in order to maintain their cause of action, the Plaintiffs in this case are not required to allege and prove that they purchased hormone replacement therapy drugs because of or in reliance upon a deceptive practice of the Defendant, Wyeth. As discussed above, the West Virginia Consumer Credit and Protection Act is a remedial act with the purpose of providing relief for consumers who might otherwise have difficulty proving their claims. The deceptive actions alleged in this case encompass the type of conduct the West Virginia Consumer Credit and Protection Act was enacted to protect against.

This action arises, in accordance with W. Va. Code § 58-5-2, from the Court's denial of the Defendants' Motion to Dismiss, or in the Alternative Motion for Summary Judgment. The Defendants' challenged the sufficiency of the Plaintiffs' Complaint and asserted that the Plaintiffs lacked standing to bring a claim under the West Virginia Consumer Credit and Protection Act.

It is ordered that the Circuit Clerk send copies of this *Order* to the following parties:

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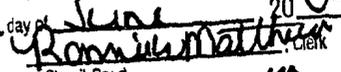
Entered this 9th day of June, 2009.



O.C. Spaulding, Judge

STATE OF WEST VIRGINIA
COUNTY OF PUTNAM, SS:

I, Ronnie W. Matthews, Clerk of the Circuit Court of said
County and in said State, do hereby certify that the
foregoing is a true copy from the records of said Court.
Given under my hand and the seal of said Court

this 12 day of June 2009

Circuit Court
Putnam County, W.Va. 10