

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-00028

VICTORIA KLEIN; ASHLEY SWADLEY

Plaintiffs - Respondents

v.

7:03-CV-102

O'NEAL INC, a subsidiary of Dyson-Kissner-Moran Corporation
formerly known as O'Neal Jones & Feldman Pharmaceuticals;
CVS PHARMACY INC, formerly known as CVS Revco
DS Inc, formerly known as Revco DS Inc; CARTER-GLOGAU
LABORATORIES, also known as Retrac Inc

Defendants - Petitioners

Petitions for Leave to Appeal
under Fed. R. Civ. P. 23(f)

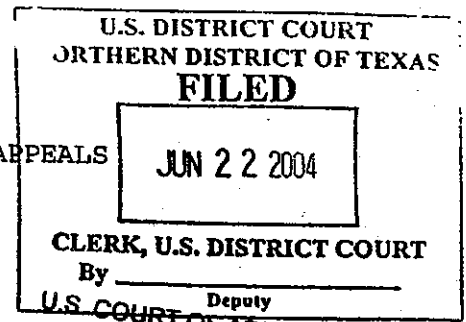
Before WIENER, DEMOSS, and PICKERING, Circuit Judges.

PER CURIAM:

IT IS ORDERED that Petitioners' emergency motions to vacate or stay the District Court's May 11, 2004, discovery order pending their petitions to appeal are DENIED.

Judge WIENER would have granted the stay.

IT IS FURTHER ORDERED that Respondents' motion for leave to file sur-reply to Petitioners' reply to Respondents' opposition to Petitioners' emergency motion to stay discovery order is DENIED as moot.



FILED

JUN 21 2004

CHARLES R. FULBRIGHT III
CLERK