

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

IN RE: DIET DRUGS (Phentermine/
Fenfluramine/Dexfenfluramine)
PRODUCTS LIABILITY LITIGATION : MDL DOCKET NO. 1203
:
THIS DOCUMENT RELATES TO: :
----- :
CHERYL CHESTNUT, et al. : CIVIL ACTION NO. 04-23161
v. :
WYETH, et al. :
:

PRETRIAL ORDER NO. 5011

AND NOW, this 15th day of April, 2005, it is hereby
ORDERED that:

1) the motion of defendant Benjamin Weiner, M.D., to
dismiss the complaint as to him (Doc. #5) on the ground that he
is fraudulently joined is GRANTED; and

2) the claims against all defendants in the above-
captioned action except Wyeth and Wyeth-Ayerst Laboratories are
DISMISSED. See Memorandum and Pretrial Order No. 3666, Accadia,
et al. v. Wyeth, et al., CIV.A. No. 03-20546 (E.D. Pa. June 29,
2004).

BY THE COURT:


J.