

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA


IN RE DIET DRUGS)	
(PHENTERMINE/FENFLURAMINE/)	MDL Docket No. 1203
DEXFENFLURAMINE) PRODUCTS)	
LIABILITY LITIGATION)	Individual C.A. No. 04-27261-HB
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RHONDA GREER)	
(SALLY ESTHAY), et al.)	[Transferred from U.S.D.C.
)	N.D. Tex. C.A. No. 3:04-CV-0572-M]
vs.)	
WYETH)	

STIPULATION AND PRETRIAL ORDER NO. 5563

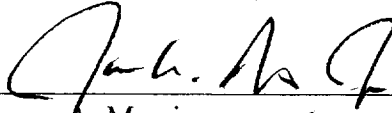
AND NOW, this 15th day of August, 2005, it is hereby STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Federal Rules of Civil Procedure 41(a)(1)(ii), that plaintiff SALLY ESTHAY hereby dismisses with prejudice this action as to all defendants, Wyeth, Wyeth Pharmaceuticals, Inc., and Wyeth-Ayerst International, Inc. (collectively herein "Wyeth"), with each party to bear its own costs and counsel fees. This dismissal shall be with prejudice. Notwithstanding the foregoing, this dismissal shall be subject to the terms and conditions in the Nationwide Class Action Settlement Agreement and as agreed to in the Revoke Opt-Out Form executed by the plaintiff SALLY ESTHAY on March 1, 2004, and agreed to by Wyeth on April 7, 2004.

This Stipulation is filed on behalf of plaintiff SALLY ESTHAY and defendants, Wyeth, Wyeth Pharmaceuticals, Inc., and Wyeth-Ayerst International, Inc., who have appeared in the above-captioned matter.

**APPROVED AND
SO ORDERED:**


Honorable Judge Harvey Bartle III

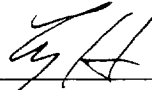
Respectfully submitted,

A handwritten signature in black ink, appearing to read "James A. Morris", written over a horizontal line.

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ATTORNEYS FOR WYETH DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on the 29th day of JULY, 2005, a true and correct copy of SALLY ESTHAY's Stipulation and Pretrial Order No. ____ was served on all counsel of record and on Special Discovery Master, Gregory P. Miller, via Federal Express, United States first class mail, postage prepaid, certified mail or hand delivery.



Lynn G. Haufrect