

JYG/mdj


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA (PHILADELPHIA)**

CAROLYN SHEAD,	)	MDL DOCKET NO. 1203
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	CIVIL ACTION NO. 2:04-CV-25077-HB
WYETH and AHP SUBSIDIARY	)	[Transferred from US District Court,
HOLDING CORPORATION,	)	Northern District of OK # 04-CV-280EA(M)]
	)	
Defendants.	)	

**PRETRIAL ORDER # 5567  
STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

COMES NOW the Plaintiff, Carolyn Shead, and the Defendants, Wyeth and AHP Subsidiary Holding Corporation, and stipulate to the dismissal of the claims of Carolyn Shead in the above-styled and numbered cause without prejudice. In the event that Plaintiff, Carolyn Shead, re-files any claim or action arising out of the use of Pondimin or Redux, Plaintiff, Carolyn Shead, shall name no new defendants, nor assert new claims, and Plaintiff, Carolyn Shead, may re-file this case only in Federal Court.

**APPROVED AND SO ORDERED:**

  
\_\_\_\_\_  
HARVEY BARTLE, III, J.

*Aug. 15, 2005*

**AGREED TO:**



---

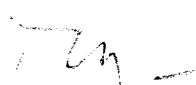
JAMES K. SECREST, II, OBA #8049  
ROGER N. BUTLER, JR., OBA #13668  
JACK Y. GOREE, OBA #3481  
**SECREST, HILL & BUTLER**  
7134 South Yale, Suite 900  
Tulsa, Oklahoma 74136-6342  
(918) 494-5905 Telephone  
(918) 494-2847 Facsimile

and

Tony Martinez  
**MARTINEZ, BARRERA & MARTINEZ**  
1201 East Van Buren  
Brownsville, Texas 78520  
(956) 546-7159 Telephone  
(956) 544-0602 Facsimile

and

Kirk Tresemer  
**IRWIN & BOESEN**  
501 Cherry Street, Suite 500  
Denver, Colorado 80246-1327  
(303) 320-1911 Telephone  
(303) 320-1915 Facsimile  
**ATTORNEYS FOR PLAINTIFF**



---

Raymond E. Zschiesche  
Thomas G. Wolfe  
**PHILLIPS, MCFALL, MCCAFFREY, MCVAY & MURRAH**  
211 N. Robinson, 12<sup>th</sup> floor  
Oklahoma City, Oklahoma 73103

Rebecca L. Dubin  
**ARNOLD & PORTER, LLP**  
555 Twelfth Street, N.W.  
Washington, D.C. 20004-1206

J. David Oswalt  
777 South Figueroa Street, 44<sup>th</sup> Floor  
Los Angeles, California 90017-5844  
**ATTORNEYS FOR WYETH AND  
AHP SUBSIDLARY HOLDING CORPORATION**

068/04193shead/p/Stipulation of Dismissal