

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

IN RE DIET DRUGS
(PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS
LIABILITY LITIGATION

MDL No. 1203

CLIFFORD COX AND DIANA COX

Civ. No. 04-20034

v.

WYETH, LEO FITZGERALD, M.D.
AND WAENARD MILLER, M.D.

STIPULATION AND PRETRIAL ORDER NO. 4555


AND NOW, this 8th day of March, 2005, it is hereby STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Federal Rule of Civil Procedure 41 (a)(1)(ii), that the Complaint in the above-captioned case is hereby dismissed without prejudice as to all Defendants, with each party to bear its own costs and counsel fees.

Notwithstanding the foregoing, this Order shall not affect any right to which Plaintiffs may be entitled pursuant to the Nationwide Class Action Settlement Agreement with Wyeth.

In the event that Plaintiffs re-files any claim or action arising out of the use of Pondimin or Redux, Plaintiffs shall re-file such claim or action in federal court only, and Plaintiffs shall name no new defendants.

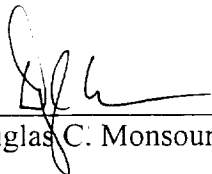
This Stipulation is filed on behalf of Plaintiffs Clifford Cox and Diana Cox and all Defendants who have appeared in the above-captioned matter, those being Wyeth, Leo Fitzgerald, M.D. and Waenard Miller, M.D.

APPROVED AND SO ORDERED:


Harvey Bartle, III, J.

APPROVED:

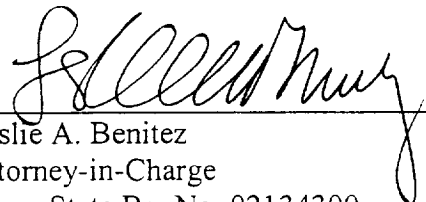
SLOAN MONSOUR

By: 
Douglas C. Monsour

101 East Whaley Street
P.O. Box Drawer 2909
Longview, Texas 75606
(903) 757-7000
(903) 757-7574 – Fax

**Counsel for Plaintiffs Clifford Cox and
Diana Cox**

**CLARK, THOMAS & WINTERS
A Professional Corporation**

By: 
Leslie A. Benitez
Attorney-in-Charge
Texas State Bar No. 02134300

300 West Sixth Street, 15th Floor
Austin, Texas 78701
(512) 472-8800
(512) 474-1129 - Fax