

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

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IN RE DIET DRUGS	§	
(PHENTERMINE/FENFLURAMINE/	§	
DEXFENFLURAMINE) PRODUCTS	§	MDL No. 1203
LIABILITY LITIGATION	§	
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REABETH ABBOTT, ET AL.,	§	
	§	
v.	§	Civ. No. 2:04-CV-20006-HB
	§	
WYETH, ET AL.	§	
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STIPULATION AND PRETRIAL ORDER NO. 4059

AND NOW, this 26th day of October, 2004, it is hereby STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Federal Rule of Civil Procedure 41 (a)(1)(ii), that the claims of Plaintiffs Reabeth Abbott, Vanessa Brice, Gerrie Sue Brown, Gwendolyn Carter, Dimitri Chancellor, Ruby Claybourne, Vickey Cline, Lisa Crumpton, Wanda Dillon, John Fazio, Rhonda Fisher, Denise Griffin, Brenda Haynes, Debbye Humphries, Susan Irlbeck, Claudia Jenkins, Maria Karisch, Maribeth Keller, Kathy Lackey, Jacqueline Lee, Sandra Sue Lynn, Marcie Mendoza, Yolanda Mills, Tonya Montague, Linda Munoz, Bobbie Murkledove, Tracy Murray, Dora Perez, Pat Perkins, Helen Platt, Jennifer Ramirez, Judy Robertson, Nora Romero, Melba Sanford, Johnice Scantlin, Jaunita Seals, Helen Shaw, Cynthia Spanel, Mary Stallings, Mary Steverson, Tammy Taylor, Anna Trull, Hortensia Ugalde, Stephanie Ward, Dorothy Watson, JoeAnn Williams, Linda Williams, and Belinda Word-Johnson are hereby dismissed without prejudice as to Defendants Wyeth, Inc., Wyeth


Pharmaceuticals, A.H. Robins Company, Incorporated, L. Clayton Lacy, and Frank Bedrick, (“Wyeth”, whether one or more) 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 any Plaintiff re-files any claim or action arising out of the use of Pondimin or Redux, such Plaintiff shall re-file such claim or action in federal court only, and shall name no new defendants.

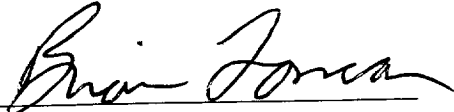
This Stipulation is filed on behalf of Plaintiffs Reabeth Abbott, Vanessa Brice, Gerrie Sue Brown, Gwendolyn Carter, Dimitri Chancellor, Ruby Claybourne, Vickey Cline, Lisa Crumpton, Wanda Dillon, John Fazio, Rhonda Fisher, Denise Griffin, Brenda Haynes, Debbye Humphries, Susan Irlbeck, Claudia Jenkins, Maria Karisch, Maribeth Keller, Kathy Lackey, Jacqueline Lee, Sandra Sue Lynn, Marcie Mendoza, Yolanda Mills, Tonya Montague, Linda Munoz, Bobbie Murkledove, Tracy Murray, Dora Perez, Pat Perkins, Helen Platt, Jennifer Ramirez, Judy Robertson, Nora Romero, Melba Sanford, Johnice Scantlin, Jaunita Seals, Helen Shaw, Cynthia Spanel, Mary Stallings, Mary Steverson, Tammy Taylor, Anna Trull, Hortensia Ugalde, Stephanie Ward, Dorothy Watson, JoeAnn Williams, Linda Williams, and Belinda Word-Johnson and all Defendants who have appeared in the above-captioned matter, those being Wyeth, Inc., Wyeth Pharmaceuticals, A.H. Robins Company, Incorporated, L. Clayton Lacy, and Frank Bedrick.

APPROVED AND SO ORDERED:


Hon. Harvey Bartle, III

APPROVED:

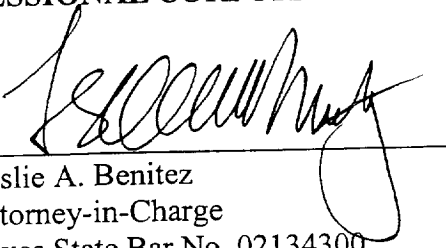
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