

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

IN RE: DIET DRUGS (Phentermine /
Fenfluramine / Dexfenfluramine)
PRODUCTS LIABILITY LITIGATION

MDL DOCKET NO. 1203

This document relates to:

CLAUDIA EDWARDS, et al.,

Plaintiffs,

v.

WYETH, et al.,

Defendants.

CIVIL ACTION NO. 2:03cv20326-HB

STIPULATION AND PRETRIAL ORDER NO. 4062

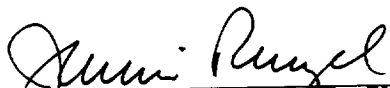
AND NOW, this 26th day of October, 2004, it is hereby STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, that the claims of plaintiffs Mamie Creswell and Kimberly Dukes in the above-captioned case are hereby dismissed with prejudice as to all named defendants, with each party to bear its own costs and counsel fees. This dismissal shall not affect any of the rights that these plaintiffs may have to seek any benefits under the Nationwide Class Action Settlement of the litigation against Wyeth relating to the diet drugs Pondimin and Redux.

This stipulation complies with Rule 41(a) of the Federal Rules of Civil Procedure. All parties in this action who have entered an appearance have executed this dismissal through the undersigned counsel of record.

APPROVED AND SO ORDERED:


HARVEY BARTLE, III, J.

AGREED TO:



Rand P. Nolen, Bar # 00788126
Jaime Rangel, Bar #24033759
FLEMING & ASSOCIATES, L.L.P.
1330 Post Oak Boulevard, Suite 3030
Houston, TX 77056

Merrida (Buddy) Coxwell, MB#7782
Charles R. Mullins, MB#9821
COXWELL & ASSOCIATES, PLLC
Post Office Box 1337
Jackson, MS 39215-1337

Keith Morgan, MB#10319
VARAS & MORGAN, PLLC
137 Executive Drive, Suite A (39110)
Post Office Box 2306
Madison, MS 39130

ATTORNEYS FOR PLAINTIFFS



William M. Gage, MB #8691
BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC
17th Floor, AmSouth Plaza
Post Office Box 22567
Jackson, Mississippi 39225-2567

ATTORNEY FOR WYETH