

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

_____	§	
IN RE DIET DRUGS	§	
(PHENTERMINE/FENFLURAMINE/	§	
DEXFENFLURAMINE) PRODUCTS	§	MDL No. 1203
LIABILITY LITIGATION	§	
_____	§	
CARON R. ARENSBERG, ET AL.,	§	
v.	§	Civ. No. 2:04-CV-20998-HB
WYETH, ET AL.	§	
_____	§	

STIPULATION AND PRETRIAL ORDER NO. 4063

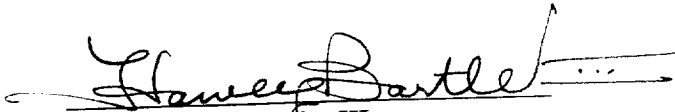
AND NOW, this 26th day of October, 2004, it is hereby STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Federal Rule of Civil Procedure 41 (a)(1)(ii), that the claims of Plaintiff Andrea L. Dillard are hereby dismissed without prejudice as to Defendants Wyeth and Harriette O'Connor, M.D., with each party to bear its own costs and counsel fees.

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

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

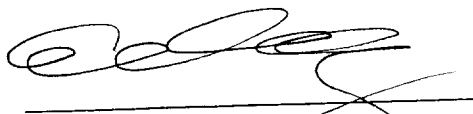
This Stipulation is filed on behalf of Plaintiff Andrea L. Dillard and all Defendants who have appeared in the above-captioned matter, those being Wyeth and Harriette O'Connor, M.D.

APPROVED AND SO ORDERED:


Hon. Harvey Bartle, III

APPROVED:

FLEMING & ASSOCIATES, L.L.P.

By: 
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