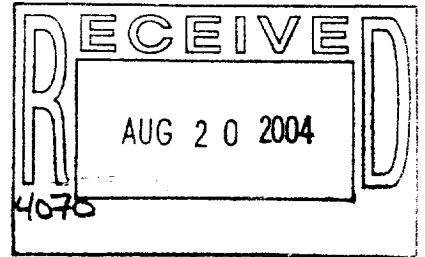


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DIET DRUGS)
(PHENTERMINE/FENFLURAMINE/) MDL Docket No. 1203
(DEXFENFLURAMINE) PRODUCTS)
LIABILITY LITIGATION)
)
)
LOIS BITNER) Civil Action No. 2:04-cv-20750
)
)
VS.)
)
)
WYETH, ET AL.)



STIPULATION AND PRETRIAL ORDER NO.

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 Lois Bitner in the above-captioned matter are hereby DISMISSED WITH PREJUDICE as to all named defendants, with each party to bear its own costs and counsel fees. Notwithstanding the foregoing, this Order shall not affect any rights to which Plaintiff Lois Bitner may be entitled pursuant to the National Settlement Agreement.

This stipulation complies with Federal Rule of Civil Procedure Rule 41(a)(1)(ii). 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

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