

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:
GINGER MILLSAPS, ET AL.,

CIVIL ACTION NO. 2:04CV22914

Plaintiffs

v.

WYETH


Defendant

STIPULATION AND PRETRIAL ORDER NO. 4073

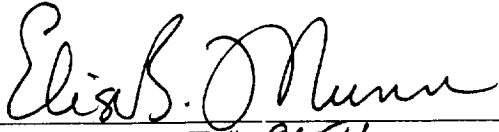
AND NOW, this 26th day of October, 2004, it is hereby STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, that the claims of plaintiff Rusty May in the above-captioned case are hereby dismissed with prejudice as to all named defendants, with each party to bear its own costs and counsel fees. This dismissal shall not affect any of the rights that this plaintiff 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:



Elise B. Munn, MB # 9654
Renee C. Harrison, MB#100435
SHANNON LAW FIRM, PLLC
100 W. Gallatin Street
Hazlehurst, MS 39083

ATTORNEYS FOR PLAINTIFFS



William M. Gage, MB #8691
BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC
Post Office Box 22567
Jackson, Mississippi 39225
Telephone: (601)985-4561

ATTORNEY FOR WYETH