

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:

DOROTHY HOUSE; et al.,

Plaintiffs,

v.

WYETH; et al.,

Defendants.

CIVIL ACTION NO. 2:03cv20247

STIPULATION AND PRETRIAL ORDER NO. 4074

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 Juanita Downs 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. Further, it is hereby stipulated that plaintiff Juanita Downs retains the right to seek whatever benefits to which she believes she may be entitled under the Nationwide Class Action Settlement Agreement with American Home Products Corporation (now known as Wyeth).

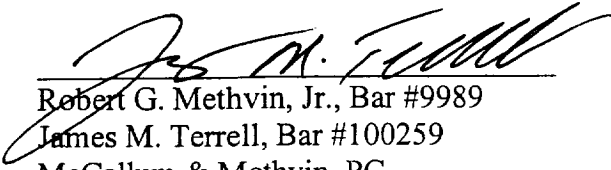
This stipulation complies with Rule 41(a) of the Federal Rules of Civil Procedure. All parties in this action who have entered an appearance have executed this dismissal through the undersigned counsel of record.

APPROVED AND SO ORDERED:



HARVEY BARTLE, III, J.

AGREED TO:


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