

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

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

MDL DOCKET NO 1203

This document relates to:)
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FAYE SHINGLETON; and DAVEY
SHINGLETON,)
)
)

Plaintiffs,)
)
)

v.)
)
)

Case No. 04-26843

WYETH, INC.; WYETH
PHARMACEUTICALS, INC.; and
WYETH-AYERST INTERNATIONAL)
INC.,)
)
)

Defendants.)

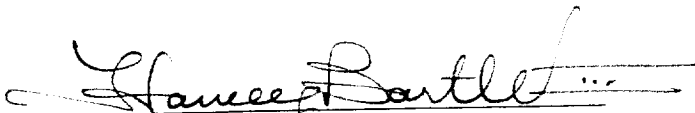
STIPULATION AND PRETRIAL ORDER NO 4078

AND NOW, this 26th day of October, 2004, it is hereby STIPULATED,
ORDERED, ADJUDGED, AND DECREED, pursuant to Rule 41(a)(1)(ii) of the Federal
Rules of Civil Procedure, the claims of Plaintiffs Faye Shingleton and Davey Shingleton
are hereby dismissed without prejudice as to all named Defendants, with each party to
bear its own costs and counsel fees.


In the event that any plaintiff elects to re-file a claim arising out of plaintiff's use
of Pondimin and/or Redux, plaintiff agrees to file, and shall only file, an individual claim
in the state in which plaintiff resides and agrees to name, and shall name, no other party
but Wyeth.

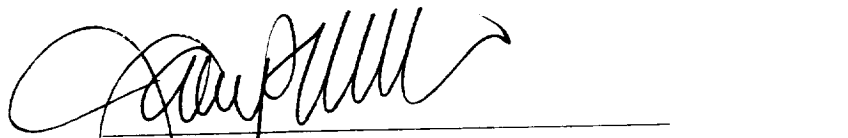
This stipulation is filed on behalf of Plaintiffs Faye Shingleton and Davey Shingleton and Defendants Wyeth, Wyeth Pharmaceuticals Inc., and Wyeth-Ayerst International Inc.

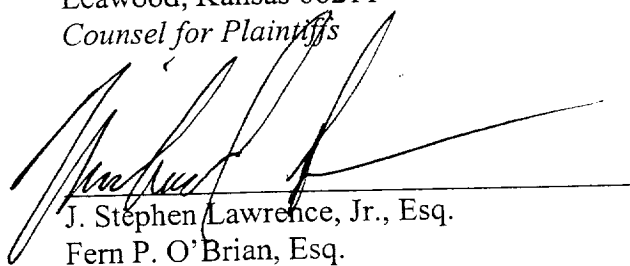
APPROVED AND SO ORDERED:


HARVEY BARTLE, III, J.

AGREED TO:


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