

ORIGINAL

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:

MARIA L. ALEXANDER, ET AL.

v.

NO. 2:04-cv-26750-HB

WYETH, ET AL.

PRETRIAL ORDER NO. 4085

Signed this \_\_\_ day of \_\_\_\_\_

**PLAINTIFF TERRY SCHUBERT'S  
STIPULATION OF DISMISSAL OF DEFENDANT WYETH**

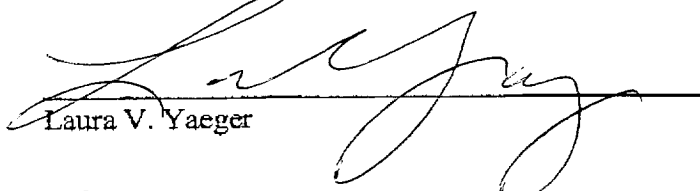
Plaintiff Terry Schubert advises the Court that he wishes to dismiss his claims and causes of action as to Defendant Wyeth in this case, without prejudice. Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff Terry Schubert and Defendant Wyeth stipulate to the dismissal without prejudice of Plaintiff Terry Schubert's claims as to Defendant Wyeth.

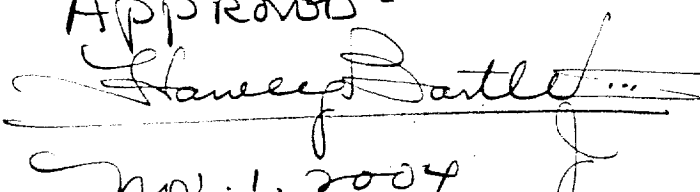
This stipulation relates to the claims brought by Plaintiff Terry Schubert only and in no way affects those claims of the remaining Plaintiffs currently before the Court.

Respectfully submitted,

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\_\_\_\_\_  
Laura V. Yaeger

APPROVED -  
  
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Stanley Dattel  
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Craig W. Phillips

**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **Plaintiff Terry Schubert's Stipulation of Dismissal of Defendant Wyeth** has been filed electronically and is available for viewing and downloading from the ECF system. Service on all attorneys of record who do not receive notice by electronic mail from the ECF system was accomplished as set forth below on October 11<sup>th</sup>, 2004:

**Via Certified Mail/RRR to:**

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**Attorneys for Defendant Wyeth**