

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

IN RE DIET DRUGS
(PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS
LIABILITY LITIGATION

MDL No. 1203

CIVIL ACTION NO: 03-2017

(03-2017)

JANICE ANNE KLEMMANN

Plaintiff,

v.

WYETH, INC. f/k/a AMERICAN HOME
PRODUCTS CORPORATION f/k/a A.H.
ROBINS COMPANY, INC.; WYETH
PHARMACEUTICALS f/k/a WYETH-
AYERST LABORATORIES COMPANY;
and DOES 1-20, inclusive,

Defendants.

Transferred From the United States
District Court for the District of Idaho
Case No: 02-571-S-MHW

STIPULATION AND PRETRIAL ORDER NO. 3054

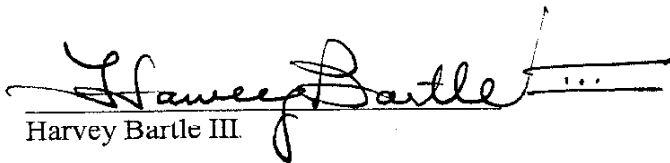
AND NOW, this ~~29th~~^{6th} day of ~~September~~^{October}, 2003, it is hereby

STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), that the Plaintiff's Complaint in the above-captioned case is hereby dismissed as to all named Defendants, with each party to bear its own costs and counsel fees. This dismissal shall be without prejudice to Plaintiff's right to assert a claim against Wyeth in the future based on primary pulmonary hypertension if she meets the definition of primary pulmonary hypertension in the Nationwide Class Action Settlement Agreement as a result of a change in medical circumstances. If Plaintiff

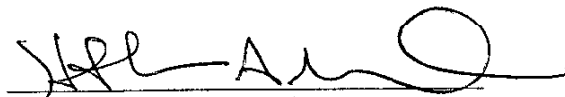
decides to initiate a future lawsuit against any of the Defendants, she shall do so in a United States District Court and her claim must be presented so that the United States District Court has subject matter jurisdiction under 28 U.S.C. § 1332.

This Stipulation is filed on behalf of Plaintiff and all Defendants in the above-captioned matter.


APPROVED AND SO ORDERED:


Harvey Bartle III

Attorney for Plaintiff Janice Anne Klemann


Heather A. McDougald, Esq.
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