

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

Civ. No. 02-20201

MARGENE WILSON,

Plaintiff,

vs.

WYETH, INC., f/k/a AMERICAN HOME  
PRODUCTS CORPORATION; WYETH-  
AYERST LABORATORIES COMPANY;  
WYETH CONSUMER HEALTHCARE f/k/a  
WHITEHALL ROBINS COMPANY, INC.,

Defendants.

STIPULATION AND PRETRIAL ORDER NO.

3095

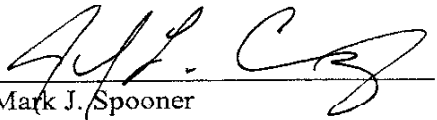
AND NOW, this 5th day of November, 2003, it is hereby STIPULATED,  
ORDERED, ADJUDGED and DECREED, pursuant to Federal Rule of Civil Procedure  
41(a)(1)(ii), that the Complaint in the above-captioned case is hereby dismissed without  
prejudice as to all named Defendants, with each party to bear its own costs and counsel fees.

This Order shall not diminish, abridge, prevent or otherwise affect any rights to  
which Plaintiff may be entitled pursuant to the Class Settlement.

In the event that Plaintiff re-files any claim or action arising out of the use of  
Pondimin or Redux, Plaintiff shall re-file such claim or action in federal court only.

This Stipulation is filed on behalf of Plaintiff and all Defendants who have appeared in the above-captioned matter, those being Wyeth<sup>1</sup> and Wyeth Pharmaceuticals.<sup>2</sup>

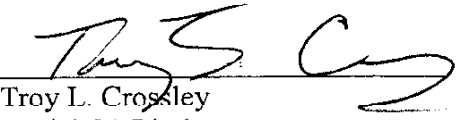
Dated: 6/4/03

  
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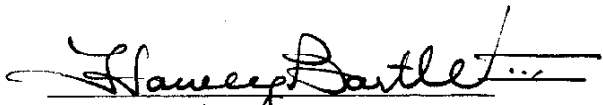
Counsel for Defendants WYETH and  
WYETH PHARMACEUTICALS

Dated: 6/3/03

  
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Patrick V. Lindsay  
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Counsel for Plaintiff

APPROVED AND SO ORDERED

  
Harvey Bartle, III J.

<sup>1</sup> Defendant Wyeth (formerly known as American Home Products Corporation (“AHP”), and improperly designated in Plaintiff’s complaint as “Wyeth, Inc.”) appeared in this action on its own behalf, and on behalf of A.H. Robins Company, Inc. (improperly designated in the complaint as “Wyeth Consumer Healthcare, f/k/a Whitehall Robins Company, Inc. f/k/a A.H. Robins Company, Inc.” (see Compl. ¶ 6)), which on August 3, 1998 merged into AHP and ceased to exist as a separate entity.

<sup>2</sup> Wyeth Pharmaceuticals, formerly known as Wyeth-Ayerst Laboratories Division of AHP, was improperly designated in Plaintiff’s complaint as “Wyeth Pharmaceuticals, f/k/a Wyeth-Ayerst Laboratories Company.” See Compl. ¶ 5.