

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
CA No. 03-20361

This documents relates to:

USDC, So. Dist. MS

JULIAS L. ANDERSON,
JAMES C. JOHNSON, ET AL

PLAINTIFFS

VS.

CIVIL ACTION NO. 4:03-CV-196-L-N

WYETH INC., DR. JAMES CADY, JR.,
DR. DAVID A. MAKEY,
DR. JAMES C. MATTHEWS,
DR. RAY MYATT, ET AL.


DEFENDANTS

AGREED ORDER OF DISMISSAL 3125

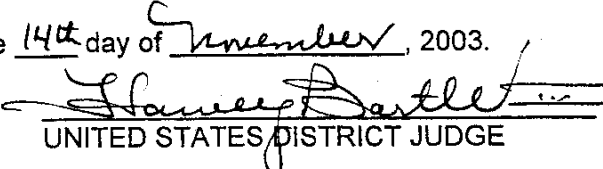
THIS CAUSE coming on to be heard, the **Joint Motion *ore tenus***, of the Plaintiff, Crystal Smylie, and of the Defendant, Dr. David Makey, through counsel, who have moved the Court to dismiss this case with prejudice as to the Defendant, Dr. David Makey, and noting the mutual agreement of counsel for the abovementioned Plaintiff, Crystal Smylie, and for the Defendant, Dr. David Makey, and the Court being fully advised of the premises, finds that the motion is well taken and should be granted.

IT IS THEREFORE, ORDERED AND ADJUDGED that the Defendant, Dr. David Makey, should be and hereby is dismissed with prejudice with this action to continue on the docket as to the remaining Defendants.

SO ORDERED AND ADJUDGED this the 14th day of November, 2003.


Nancy Guy Armstrong, Attorney for Plaintiff


William B. Carter
Of counsel for Defendant, Dr. David Makey


UNITED STATES DISTRICT JUDGE