

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

_____)	
IN RE DIET DRUGS)	
(PHENTERMINE/FENFLURAMINE/)	MDL Docket No. 1203
DEXFENFLURAMINE) PRODUCTS)	
LIABILITY LITIGATION)	
_____)	
ANNETTE KERR, ET AL. v.)	Civ. No. CA-03-20014
AMERICAN HOME PRODUCTS)	
CORPORATION, WYETH-AYERST)	
LABORATORIES, ET AL.)	
_____)	

STIPULATION AND PRETRIAL ORDER NO. 3136

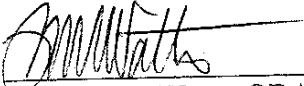
AND NOW, this 21st day of November, 2003, it is hereby STIPULATED, ORDERED, ADJUDGED and DECREED, pursuant to Federal Rules of Civil Procedure 41(a)(1)(ii), that plaintiff Marva Beavers hereby dismisses with prejudice as to the defendants Wyeth,¹ Ed R. Stewart, D.O., Mona Motz, M.D., and Pamela Hiti, D.O., with each party to bear its own costs and counsel fees. This dismissal is without prejudice to any rights plaintiff Marva Beavers may accrue under the Nationwide Class Action Settlement, or any amendment thereto.

This Stipulation is filed on behalf of plaintiff Marva Beavers and defendants Wyeth, Ed R. Stewart, D.O., and Mona Motz, M.D., who have appeared in the above-captioned matter.²

¹ On March 11, 2002, American Home Products Corporation changed its name to Wyeth. Wyeth-Ayerst Laboratories is a division of Wyeth.

² Defendant Pamela Hiti, D.O., has not appeared in this action. Defendants Lee Rittenhouse, M.D. and Lee Frye, M.D. were previously dismissed with prejudice.

WATTS & WATTS


By: 
Philip O. Watts, OBA #11000
101 North Robinson, Suite 501
Oklahoma City, Oklahoma 73102
405-239-2177
405-239-2822 Facsimile

and

Laurence Donahoe, OBA#2414
200 N. Harvey, Suite 1315
Oklahoma City, Oklahoma 73102

Attorneys for Plaintiffs

**ATKINSON, HASKINS, NELLIS,
BOUDREAUX, HOLEMAN, PHIPPS &
BRITTINGHAM**

By: 
Daniel E. Holeman
1500 Park Centre
525 South Main Street
Tulsa, Oklahoma 74103-4524
918-582-8877
918-585-8096 Facsimile

*Attorneys for Defendants Ed R. Stewart, D.O. and
Mona Motz, M.D.*

PHILLIPS McFALL McCAFFREY
McVAY & MURRAH, P. C.

By:



Thomas G. Wolfe, OBA #11576
Melvin R. McVay, Jr., OBA#6096
Ray E. Zschiesche, OBA#11587
Fred A. Leibrock, OBA #14146

One Leadership Square, Twelfth Floor
211 North Robinson
Oklahoma City, OK 73102
(405) 235-4100
(405) 235-4133 facsimile

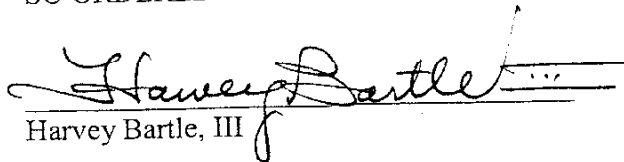
OF COUNSEL:

ARNOLD & PORTER

Patricia A. Dean
Rebecca L. Dubin
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
(202) 942-5000
(202) 942-5999 facsimile

Attorneys for Defendant Wyeth

APPROVED AND
SO ORDERED:


Harvey Bartle, III

DATED: _____