

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

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

This document relates to:
BRENDA NETTO
and MALCOLM ALEXANDER

MDL Docket No. 1203

Plaintiffs

Civil Action No. 98-20124

vs.

Wyeth-Ayerst Laboratories Company;
American Home Products Corporation;
Interneuron Pharmaceutical, Inc.;
A. H. Robins Company, Inc.

Defendants

STIPULATION AND PRETRIAL ORDER NO.: 1025

AND NOW, this 3rd day of JAN, ~~1999~~, 2008, it is hereby STIPULATED,

ORDERED, ADJUDGED and DECREED pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(ii), that the claims of Plaintiff Brenda Netto in the Complaint in the above-captioned matter are hereby dismissed without prejudice as to all named defendants with each party to bear its own costs and counsel fees.

Further, that should Plaintiff decide to institute a case in the future for personal injuries relating to diet drug litigation, she shall file said case in federal court.

The parties hereby certify that Plaintiff Brenda Netto has complied with PTO 22 by producing to defendants a fact sheet, medical authorizations, and a list of medical providers.

This Stipulation is filed on behalf of all defendants who have appeared in the above captioned matter, those being Wyeth-Ayerst Laboratories Company; American Home Products Corporation; Internueron Pharmaceutical, Inc.; and A. H. Robins Company, Inc., against whom the claims in the complaint shall be dismissed in their entirety by the Court's approval of this Stipulation. The stay relating to proceedings against Internueron Pharmaceuticals, Inc. does not apply to stipulations of dismissal pursuant to paragraph 5 of Pretrial Order No. 270.

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ATTORNEYS FOR PLAINTIFF
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ATTORNEYS FOR DEFENDANTS
WYETH-AYERST LABORATORIES
COMPANY; AMERICAN
HOME PRODUCTS CORPORATION;
A. H. ROBINS COMPANY
INCORPORATED

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State

THIS, the _____ day of _____, 1999.

Roger R. Brosnahan, Esquire
Elizabeth J. Cabrazar, Esquire
Stanley M. Chesley, Esquire
John J. Cummings, III, Esquire
Michael D. Hausfeld, Esquire
Will S. Kemp, Esquire
Arnold Levin, Esquire
Dianna M. Nast, Esquire
J. Michael Papantonio, Esquire
John M. Restano, Jr., Esquire
Darryl J. Tschirn, Esquire

APPROVED AND SO ORDERED:

Louis C. Bechtle, Chief Judge Emeritus

1/3/00

By
Arnold Levin
John J. Cummings, III

PLAINTIFFS MANAGEMENT COMMITTEE
BASED UPON INFORMATION PROVIDED

THE PLAINTIFFS'
MANAGEMENT COMMITTEE
TAKES NO POSITION ON THE
MERITS OF THIS FILING.