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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE DIET DRUG (Phentermine/
Fenfluramine/Dexfenfluramine
PRODUCTS LIABILITY LITIGATION

MDL No. 1203

CAROLYN A. PIRTLE and IRWIN R.
PIRTLE,

MDL Civil Action No. 98-20258

Plaintiffs,

(Transferred from the USDC Southern
District of New York, Case No. 97-7536)

v.

**STIPULATION OF DISMISSAL
OF THIRD-PARTY COMPLAINT
AND PRETRIAL ORDER**

WYETH-AYERST LABORATORIES, a
Division of AMERICAN HOME
PRODUCTS CORPORATION,
AMERICAN HOME PRODUCTS
CORPORATION, A.H. ROBINS
COMPANY, INC., EON LABS
MANUFACTURING, INC., ZENITH
GOLDLINE PHARMACEUTICAL, INC.
a wholly owned subsidiary of IVAX
CORPORATION,

Defendants.

AMERICAN HOME PRODUCTS
CORPORATION, WYETH-AYERST
LABORATORIES, a division of
AMERICAN HOME PRODUCTS
CORPORATION,

Third-Party Plaintiffs,

v.

SMITHKLINE BEECHAM
CORPORATION,

Third-Party Defendant.


**STIPULATION OF DISMISSAL OF THIRD-PARTY COMPLAINT AND
PRETRIAL ORDER** 1032

NOV 15 1999

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated between all parties hereto, by and through their undersigned attorneys, that the Third-Party Complaint of AMERICAN HOME PRODUCTS CORPORATION and WYETH-AYERST LABORATORIES a division of AMERICAN HOME PRODUCTS CORPORATION ("AHP") is dismissed without prejudice.

All parties to the entire action that have entered an appearance and those that remain in the action have executed this dismissal through the undersigned counsel of record. This stipulation dismisses the Third-Party Complaint in its entirety. This stipulation does not affect the status of any other party and does not affect the First-Party Action.

Date October 21, 1999



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and

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Date 11/2/99



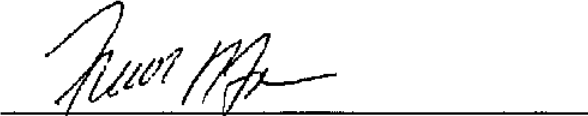
BETH L. KAUFMAN
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SMITHKLINE BEECHAM CORPORATION

Date 10/29/99



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EON LABS MANUFACTURING, INC. and
ZENITH GOLDLINE PHARMACEUTICALS, INC.

Date _____

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Counsel for Plaintiffs
CAROLYN A. PIRTLE and IRWIN R. PIRTLE

Date _____

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Date 5/30/79 _____

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Counsel for Plaintiffs
CAROLYN A. PIRTLE and IRWIN R. PIRTLE

PRETRIAL ORDER _____

AND NOW, TO WIT, this ____ day of _____ based on the forgoing stipulation of the parties hereto, it is hereby ordered that the Third-Party Complaint is dismissed without prejudice. Each side is to bear its own costs and fees.



JUDGE LOUIS C. BECHTLE

JAN - 3 2000