

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DIET DRUGS (Phentermine/
Fenfluramine/Dexfenfluramine)
PRODUCTS LIABILITY LITIGATION

MDL NO. 1203
CIVIL ACTION # 97-326
EDPA # 98-20078

CYNTHIA A. FOY; DOROTHY FERRAND;
RAE ANN DIMAGGIO; FRANK PALMISANO

V.

AMERICAN HOME PRODUCTS,
WYETH-AYERST LABORATORIES,
INTERNEURON PHARMACEUTICALS,
ALPHA CLINIC AND DR. DAVID MEYERS

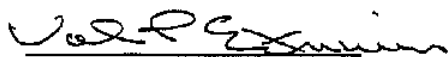
STIPULATION AND PRETRIAL ORDER NO. 1041

AND NOW, this 3rd day of JAN, 1999, it is hereby STIPULATED, ORDERED,
ADJUDGED, AND DECREED pursuant to Federal Rule of Civil Procedure Rule 41 (a)(1)(ii),
that the claims 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, the Plaintiffs agree that should each decide to institute a case in the future for
personal injuries relating to diet drug litigation, plaintiffs shall file said case in federal court.
Plaintiffs have complied with the requirements of PTO # 22 by completing a Plaintiffs' Fact Sheet
and providing the List of Medical Providers and executed Medical Authorization forms.

This Stipulation is filed on behalf of all defendants who have appeared in the above
captioned matter, those being American Home Products, Wyeth-Ayerst Laboratories, Interneuron
Pharmaceuticals, Alpha Clinic and Dr. David Meyers against whom claims in this complaint

shall be dismissed in their entirety by the Court's approval of this Stipulation.

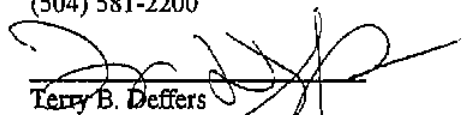

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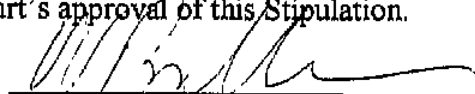


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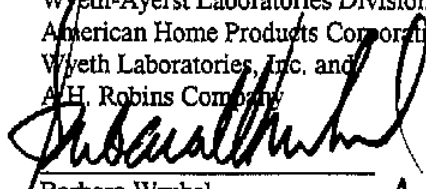
PLAINTIFFS' MANAGEMENT COMMITTEE
BY THE SIGNATURE OF ANY MEMBER PROVIDED



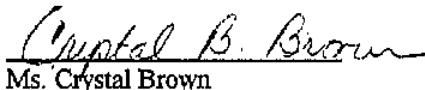
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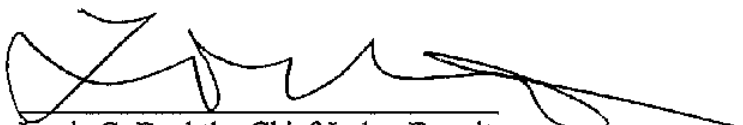
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THE PLAINTIFFS'
MANAGEMENT COMMITTEE
TAKES NO POSITION ON THE
MERITS OF THIS FILING.
MERITS OF THIS FILING.

APPROVED AND SO ORDERED:



Louis C. Bechtle, Chief Judge Emeritus