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**FILED MAR 17 1999**

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

IN RE: DIET DRUGS (Phentermine/ Fenfluramine/Dexfenfluramine) PRODUCTS LIABILITY LITIGATION	)	MDL No. 1203
	)	
	)	
This document relates to	)	MDL Civil Action No. 98-20378
	)	
OMA DETWILER and VICKI SANCHEZ	)	TRANSFERRED FROM THE
	)	UNITED STATES DISTRICT
	)	COURT FOR THE DISTRICT
Plaintiffs,	)	OF KANSAS
	)	
v.	)	STIPULATION OF DISMISSAL
	)	AND PROPOSED PRETRIAL
WYETH-AYERST LABORATORIES	)	ORDER
COMPANY, A DIVISION OF	)	
AMERICAN HOME PRODUCTS	)	<i>PT 7511</i>
CORPORATION and SMITHKLINE	)	_____
BEECHAM CORPORATION,	)	
	)	
Defendants,	)	
	)	
	)	

**STIPULATION OF DISMISSAL AND PROPOSED PRETRIAL ORDER**

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 plaintiff s' complaint is dismissed with prejudice as to defendant SMITHKLINE BEECHAM CORPORATION ("SB") only. This dismissal is based on plaintiffs' inability to establish that they ingested SB's phentermine product. Each party is to bear their own fees and costs.

All parties to this action that have entered an appearance and that remain in this action have executed this dismissal through the undersigned counsel of record. This stipulation does not affect the status of any other party.

APPROVED BY:

WOODARD, HERNANDEZ, ROTH & DAY, L.L.C.

By: 

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and

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By: 

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and

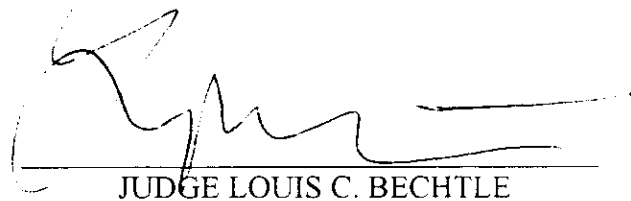
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By: 

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*Attorney for Plaintiffs  
Oma Detwiler and Vicki Sanchez*

**PROPOSED PRETRIAL ORDER**

AND NOW, TO WIT, this 17<sup>th</sup> day of MARCH based on the foregoing stipulation of the parties hereto, it is hereby ordered that SMITHKLINE BEECHAM CORPORATION is dismissed from this action in its entirety with prejudice. Each side is to bear its own costs and fees.



JUDGE LOUIS C. BECHTLE

ENTERED: 3-18-99

CLERK OF COURT