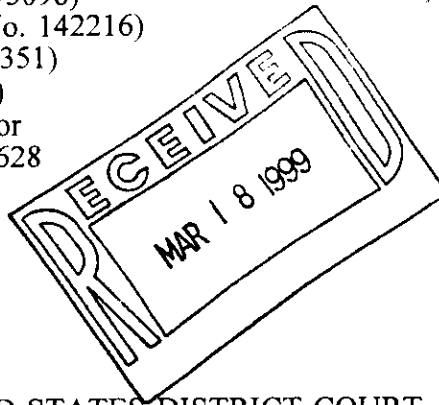


1 SEDGWICK, DETERT, MORAN & ARNOLD  
2 MICHAEL F. HEALY (Bar No. 095098)  
3 KATHRYN H. EDWARDS (Bar No. 142216)  
4 WAYNE A. WOLFF (Bar No. 161351)  
5 IGOR SHOIKET (Bar No. 190066)  
6 One Embarcadero Center, 16th Floor  
7 San Francisco, California 94111-3628  
8 Telephone: (415) 781-7900  
9 Attorneys for Defendant  
10 FISON'S CORPORATION

FILED MAR 9 1999



11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF PENNSYLVANIA

13 IN RE: DIET DRUGS )  
14 (PHENTERMINE/FENFLURAMINE/ )  
15 (DEXFENFLURAMINE) PRODUCT )  
16 LIABILITY LITIGATION )  
17 (MDL-1203) )  
18 PETER TRIPPLE, ON BEHALF OF )  
19 HIMSELF AND ALL OTHERS )  
20 SIMILARLY SITUATED; AND VICKEY )  
21 BASHFUL-SMITH, ON BEHALF OF )  
22 HERSELF AND ALL OTHERS )  
23 SIMILARLY SITUATED, AND ORIANA )  
24 ZILL, ON BEHALF OF HERSELF AND )  
25 ALL OTHERS SIMILARLY SITUATED )  
26 AND AS PRIVATE ATTORNEYS )  
27 GENERAL, )

28 Plaintiffs,

v.

29 WYETH-AYERST LABORATORIES )  
30 COMPANY DIVISION OF AMERICAN )  
31 HOME PRODUCTS CORPORATION; )  
32 INTERNEURON PHARMACEUTICALS; )  
33 GATE PHARMACEUTICALS, )  
34 A DIVISION OF TEVA )  
35 PHARMACEUTICALS, USA, INC.; )  
36 SMITHKLINE BEECHAM )  
37 CORPORATION; ABANA )  
38 PHARMACEUTICALS, INC.; )  
39 RICHWOOD PHARMACEUTICAL )  
40 COMPANY, INC.; ION )  
41 LABORATORIES, INC.; MEDEVA )  
42 PHARMACEUTICALS, INC.;

MDL DOCKET NO. 1203

MDL CASE NO. 98-20333

TRANSFERRED FROM NORTHERN  
DISTRICT OF CALIFORNIA  
[NO. C97-4601 VRW]

**STIPULATION AND [PROPOSED]  
ORDER OF DISMISSAL PURSUANT TO  
FED. R. CIV. P. 41(a)(1)(ii)**

Judge: Hon. Louis C. Bechtle

PTC#524

SEDGWICK,  
DETERT, MORAN  
& ARNOLD

One Embarcadero Center  
Sixteenth Floor  
San Francisco, California  
94111-3628  
Tel. 415.781.7900

1 A.H. ROBINS COMPANY, )  
INCORPORATED; FISON )  
2 CORPORATION; WEIGHT RELEASE )  
AND WELLNESS CENTERS, INC.; and )  
3 DOES 1-100, )  
 )  
4 Defendants. )  
\_\_\_\_\_ )

5  
6 IT IS HEREBY STIPULATED by and between plaintiff VICKEY  
7 BASHFUL-SMITH and defendant FISON CORPORATION and all the parties who have  
8 appeared in this action (said parties' identities appearing below), through their  
9 designated counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), that the above-captioned  
10 action be and hereby is dismissed as to defendant FISON CORPORATION only,  
11 without prejudice. Plaintiff stipulates to this dismissal on the grounds that she has no  
12 evidence that she ingested Ionamin®. Proceedings have been stayed as to defendant  
13 INTERNEURON PHARMACEUTICALS.

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EDGWICK,  
ERT. MORAN  
& ARNOLD

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IT IS SO ORDERED

DATED: March 24, 1999



Hon. LOUIS C. BECHTLE  
United States District Court Judge

ENTERED: 3-24-99

CLERK OF COURT

REDGWICK,  
ERT. MORAN  
& ARNOLD

One Embarcadero Center  
Sixteenth Floor  
San Francisco, California  
94111-3628 PRO-SF: 3677  
Tel. 415. 781. 7900

Stipulation and [Proposed] Order of Dismissal;  
MDL Case No. 98-20333



1 A.H. ROBINS COMPANY,  
2 INCORPORATED; FISON'S  
3 CORPORATION; WEIGHT RELEASE  
AND WELLNESS CENTERS, INC.; and  
DOES 1-100,

4 Defendants.

5  
6 IT IS HEREBY STIPULATED by and between plaintiff VICKEY  
7 BASHFUL-SMITH and defendant FISON'S CORPORATION and all the parties hereto,  
8 through their designated counsel, that the above-captioned action be and hereby is  
9 dismissed as to defendant FISON'S CORPORATION, without prejudice.

10 DATED: January \_\_, 1999

LAUB & LEWIS

11  
12 By: \_\_\_\_\_

13 ARNOLD LAUB  
14 ROGER L. SISNEROS  
Attorneys for Plaintiff  
VICKEY BASHFUL-SMITH

15 DATED: January \_\_, 1999

16 SEDGWICK, DETERT, MORAN & ARNOLD

17  
18 By: \_\_\_\_\_

19 MICHAEL F. HEALY  
Attorneys for Defendant  
FISON'S CORPORATION

20  
21 DATED: *February 6*  
*January* \_\_, 1999

GORDON & REES

22  
23 By: \_\_\_\_\_

24 BRIAN MOONEY  
Attorneys for Defendants  
25 WYETH-AYERST LABORATORIES,  
COMPANY, A.H. ROBINS COMPANY,  
26 INC.

27  
28  
Stipulation and [Proposed] Order of Dismissal;  
MDL Case No. 98-20333

1 DATED: ~~January \_\_, 1999~~

~~SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM, LLP~~

2  
3 By: ~~CHARLOTTE A. LOWELL  
Attorneys for Defendant  
INTERNEURON PHARMACEUTICALS,  
INC.~~

6 DATED: January 21, 1999

~~SNELL & WILMER~~ *FRANCOIS J. J. ...*

7  
8 By: *M. Chatowski*  
9 JOHN A. CHATOWSKI *MARY KIRK HILL*  
10 Attorneys for Defendant  
11 GATE PHARMACEUTICALS, A DIVISION  
12 OF TEVA PHARMACEUTICALS, USA,  
13 INC.

11 DATED: January 21, 1999

BRADLEY, CURLEY & ASIANO

12 By: *Margaret A. Wulh for:*  
13 ANN M. ASIANO  
14 CHRISTOPHER L. AGUILAR  
15 Attorneys for Defendant  
16 ION LABORATORIES, INC.

16 DATED: January 21, 1999

PREUSS, WALKER & SHANAGHER

17 By: *[Signature]*  
18 CHARLES F. PREUSS  
19 KENNETH P. CONOUR  
20 Attorneys for Defendant  
21 SMITHKLINE BEECHAM CORPORATION

20 DATED: January 21, 1999

SARRAIL, LYNCH & HALL

22 By: *[Signature]*  
23 JAMES A. SARRAIL  
24 MICHAEL RUGGLES  
25 Attorneys for Defendant  
26 RICHWOOD PHARMACEUTICALS, INC.

25 DATED: January \_\_, 1999

TRIMBLE, SHERINIAN & VARANINI

26 By: \_\_\_\_\_  
27 JEROME M. VARANINI, ESQ.  
28 Attorneys for Defendant  
ABANA PHARMACEUTICALS, INC.

EDGWICK  
ERT MORAN  
& ARNOLD

Embarcadero Center  
Sixteenth Floor  
San Francisco, California  
94111-3628 PRO-SF 3677  
Tel. 415.781.7900

Stipulation and [Proposed] Order of Dismissal;  
MDL Case No. 98-20333

1 DATED: ~~January~~, 1999

~~SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM, LLP~~

By:

~~CHARLOTTE A. LOWELL  
Attorneys for Defendant  
INTERNEURON PHARMACEUTICALS,  
INC.~~

6 DATED: January 21, 1999

~~SNELL & WILMER RUNDLE, DECKER & AMMER~~

By:

*M. K. L. Hilliard*  
~~JOHN A. CHATOWSKI~~ *MARY KICK HILLIARD*  
Attorneys for Defendant  
GATE PHARMACEUTICALS, A DIVISION  
OF TEVA PHARMACEUTICALS, USA,  
INC.

11 DATED: January 21, 1999

BRADLEY, CURLEY & ASIANO

By:

*Margaret A. Weich for:*  
ANN M. ASIANO  
CHRISTOPHER L. AGUILAR  
Attorneys for Defendant  
ION LABORATORIES, INC.

15 DATED: January 21, 1999

PREUSS, WALKER & SHANAGHER

By:

*C. F. Preuss*  
CHARLES F. PREUSS  
KENNETH P. CONOUR  
Attorneys for Defendant  
SMITHKLINE BEECHAM CORPORATION

20 DATED: January 21, 1999

SARRAIL, LYNCH & HALL

By:

*J. A. Sarrail*  
JAMES A. SARRAIL  
MICHAEL RUGGLES  
Attorneys for Defendant  
RICHWOOD PHARMACEUTICALS, INC.

24 DATED: January 21, 1999

TRIMBLE, SHERINIAN & VARANINI

By:

*J. M. Varanini*  
JEROME M. VARANINI, ESQ.  
Attorneys for Defendant  
ABANA PHARMACEUTICALS, INC.

SEDGWICK,  
TERT, MORAN  
E ARNOLD  
The Embarcadero Center  
Sixteenth Floor  
San Francisco, California  
94111-3628 PRO-SF/677  
Tel. 415. 781. 7900

Stipulation and [Proposed] Order of Dismissal;  
MDL Case No. 98-20333

1 DATED: January \_\_\_, 1999

SNELL & WILMER

2  
3 By:

JOHN A. CHATOWSKI  
Attorneys for Defendant  
GATE PHARMACEUTICALS, A DIVISION  
OF TEVA PHARMACEUTICALS, USA,  
INC.

4  
5  
6 DATED: January \_\_\_, 1999

BRADLEY, CURLEY & ASIANO

7  
8 By:

ANN M. ASIANO  
CHRISTOPHER L. AGUILAR  
Attorneys for Defendant  
ION LABORATORIES, INC.

9  
10 DATED: January \_\_\_, 1999

PREUSS, WALKER & SHANAGHER

11  
12 By:

CHARLES F. PREUSS  
KENNETH P. CONOUR  
Attorneys for Defendant  
SMITHKLINE BEECHAM CORPORATION

13  
14  
15 DATED: January \_\_\_, 1999

SARRAIL, LYNCH & HALL

16  
17 By:

JAMES A. SARRAIL  
MICHAEL RUGGLES  
Attorneys for Defendant  
RICHWOOD PHARMACEUTICALS, INC.

18  
19 DATED: January \_\_\_, 1999

TRIMBLE, SHERINIAN & VARANINI

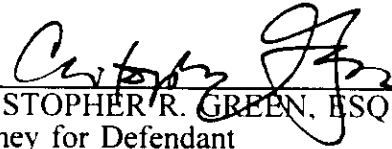
20  
21 By:

JEROME M. VARANINI, ESQ.  
Attorneys for Defendant  
ABANA PHARMACEUTICALS, INC.

22  
23  
24 DATED: February 26, 1999

LEWIS, D'AMATO, BRISBOIS & BISGAARD

25  
26 By:

  
CHRISTOPHER R. GREEN, ESQ.  
Attorney for Defendant  
WEIGHT RELEASE AND WELLNESS  
CENTERS, INC.

27  
28 EDGWICK,  
ART. MORAN  
& ARNOLD