

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

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

MDL No. 1203

FILED APR - 7 1999

CAROL VONASCH, et al.,

E.D. Pa. Civ. No. 98-20194

Plaintiffs,

From: United States District Court
Northern District of Indiana

v.

N.D. Ind. Civ. No. 2:97-CV433-RL

WYETH-AYERST LABORATORIES, a
division of AMERICAN HOME
PRODUCTS CO., et al.,

**STIPULATION OF DISMISSAL
AND PROPOSED PRETRIAL ORDER**


Defendants.

PTC # 561

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 counsel, that Plaintiffs' Complaint as to defendant SMITHKLINE BEECHAM CORPORATION ("SB"), only, is dismissed without prejudice. This dismissal is based upon each listed Plaintiff's inability to establish that he/she ingested SB's phentermine product. Each party is to bear its 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 their undersigned counsel of record. This stipulation does not affect the status of any other party.

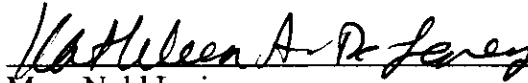
Dated: March 20, 1999.



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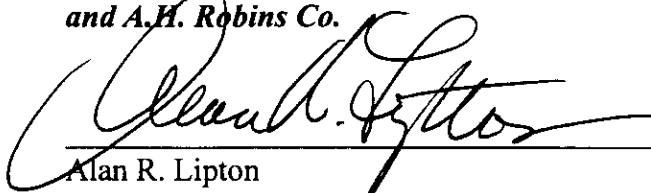
Dated: March 11, 1999, 1999.



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*Attorneys for Defendants Wyeth-Ayerst Laboratories
and A.H. Robins Co.*

Dated: February 19, 1999.




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Dated: 3-15, 1999.

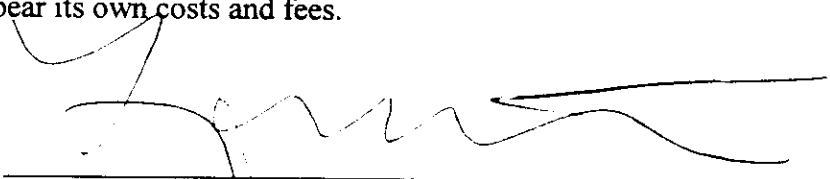


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Attorneys for Defendant Medeva Pharmaceuticals, Inc.

PROPOSED PRETRIAL ORDER NO.

AND NOW, TO WIT, this 7th day of April 1999, based upon the foregoing stipulation of the parties hereto, it is hereby ORDERED that Plaintiffs' Complaint in this action against defendant SMITHKLINE BEECHAM CORPORATION, only, is dismissed in its entirety without prejudice with each side to bear its own costs and fees.



JUDGE LOUIS C. BECHTLE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ENTERED: 4-9-99

CLERK OF COURT