SUPERIOR COURT BERGEN COUNTY
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SEP 23 2004
CHARLES J. WALSH
J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

IN RE: DIET DRUG LITIGATION

Master Docket No.: BER-L-7718-03MT

MARGARET COMPAROTO,

Plaintiff,

v.

WYETH, INC.,

Defendant.

ORDER

Docket No.: BER-L-332-04MT

KRIS GRIMES,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-565-04MT

HOLLY HARRIS,

Plaintiff,

v.

WYETH, INC.,

Defendant.

Docket No.: BER-L-6818-03MT

LILLIAN HENRIE, Plaintiff, v. WYETH, INC., Defendant.	Docket No.: BER-L-8202-03MT
GERALDINE LaROCCA Plaintiff, v. WYETH, INC., Defendant.	Docket No.: BER-L-8260-03MT
JOY McPHAIL, Plaintiff, v. WYETH, INC., Defendant.	Docket No.: BER-L-562-04MT
DONNA MINTER, Plaintiff, v. WYETH, INC., Defendant.	Docket No.: BER-L-7027-03MT

THIS MATTER having been opened to the Court by attorneys for Defendants Wyeth, Wyeth Pharmaceuticals, Inc., and Wyeth-Ayerst International, Inc. (collectively "Wyeth") on motions to dismiss Plaintiffs' Complaint with prejudice for lack of eligibility to sue under the terms of the Nationwide Class Action Settlement Agreement with American Home Products Corporation, as approved in Memorandum and Pretrial Order No.: 1415, *In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Prods. Liab. Litig.*, MDL Docket No. 1203 (E.D. Pa. Aug. 28, 2000), and the Plaintiffs having opposed the motions and the Court having considered the papers submitted, the arguments of counsel and the testimony of experts and for the reasons set forth in the Letter Opinion dated September 23, 2004 and for other good cause,

IT IS on this 23rd day of September 2004;

ORDERED that Wyeth's motions to dismiss be and hereby are granted as to plaintiffs Margaret Comparoto, Holly Harris, Lillian Henrie, Geraldine LaRocca, Joy McPhail and Donna Minter and these Complaint's are dismissed with prejudice and those plaintiffs are returned to the Class, and it is further

ORDERED that Wyeth's motions to dismiss be and hereby are denied as to plaintiff Kris Grimes.

HON. CHARLES J. WALSH, J.S.C.