

TANSEY, FANNING, HAGGERTY, KELLY, CONVERY & TRACY, ESQS.
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Attorneys for Defendant, Chattem, Inc.
Our File No.: K-10489

FILED

JAN 11 2006

BRYAN D. GARRUTO, J.S.C.

GLORIA ESGUERRA and JOSE
ESGUERRA,

Plaintiffs,

vs.

SIDMAK LABORATORIES, INC.,
THE DELACO COMPANY, successor,
by merger to Thompson Medical
Company, Inc., CHATTEM, INC., and
STEVE WEISS & CO., INC.

Defendants.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: MIDDLESEX COUNTY
: DOCKET NO: MID-L-9903-02 MT

: Civil Action

: **ORDER OF DISMISSAL WITH**
: **PREJUDICE AS TO CHATTEM, INC.,**
: **THE DELACO COMPANY, SUCCESSOR**
: **BY MERGER TO THOMPSON MEDICAL**
: **CO., INC., AND ALL SUPPLIERS OR**
: **DISTRIBUTORS OF ANY PRODUCT**
: **OF CHATTEM, INC. OR THE DELACO**
: **COMPANY, SUCCESSOR BY MERGER**
: **TO THOMPSON MEDICAL CO., INC.** Only

The matter in difference in the above entitled action having been amicably adjusted by and between the PLAINTIFFS and CHATTEM, INC., including claims against any retailers, suppliers or distributors who may have supplied any Dexatrim product, pursuant to the terms of the Order of Judge Barbara Jacobs Rothstein U.S.D.J, dated November 12, 2004 in Park v Chattem Inc., et al, Docket No. 02-755, it is hereby ORDERED that the same be, and is, hereby dismissed with Prejudice of and without costs against any party.

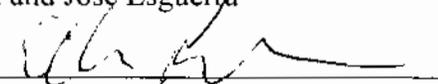
DATED: January 11, 2005-2006

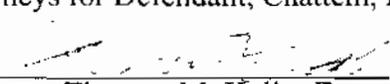

BRYAN D. GARRUTO J.S.C.

The undersigned hereby consent to the form and entry of the within Order:

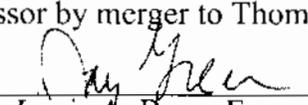
WEITZ & LUXENBERG
Attorneys for Plaintiffs,
Gloria and Jose Esguerra

TANSEY, FANNING, HAGGERTY,
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BY: 

BY: 
Thomas M. Kelly, Esq.

BODELL, BOVE, GRACE & VAN HORN
Attorneys for Defendant, The Delaco Company,
successor by merger to Thompson Medical Co., Inc.

By: 
Louis A. Bove, Esq.
Jay M. Green, Esq.