

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
5TH DIVISION

**FILED**

04 NOV -2 AM 11:40

CAROLYN STALEY  
CIRCUIT-COUNTY CLERK

STATE OF ARKANSAS,

Plaintiff,

v.

DEY, INC., WARRICK  
PHARMACEUTICALS  
CORPORATION, SCHERING-PLOUGH  
CORPORATION, AND SCHERING  
CORPORATION,

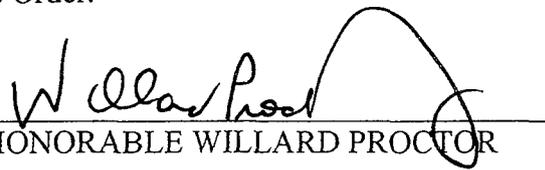
Defendants.

CASE NO. CV04-634

**ORDER OF DISMISSAL**

Upon consideration of the Joint Motion of the Plaintiff, State of Arkansas ex rel. Mike Beebe, Attorney General, and the Separate Defendant, Dey, Inc. to dismiss the claims asserted by the Plaintiff against Separate Defendant Dey, Inc., the Court finds the Joint Motion should be granted.

THEREFORE, It is Considered, Ordered and Adjudged, that the claims brought against the Separate Defendant Dey, Inc. in this matter should be dismissed with prejudice. This Order of Dismissal applies only as to the Separate Defendant Dey, Inc. and all claims against the remaining defendants continue in full force and effect and shall in no way be compromised by the entry of this Order.

  
HONORABLE WILLARD PROCTOR

11/2/04  
DATE

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**STATE OF ARKANSAS,**

**Plaintiff,**

**v.**

**DEY, INC., WARRICK  
PHARMACEUTICALS  
CORPORATION, SCHERING-PLOUGH  
CORPORATION, AND SCHERING  
CORPORATION,**

**Defendants.**

**CASE NO. CV04-634**

**JOINT MOTION OF STATE OF ARKANSAS AND DEY, INC. TO DISMISS THE  
CLAIMS AGAINST SEPARATE DEFENDANT DEY, INC. WITH PREJUDICE**

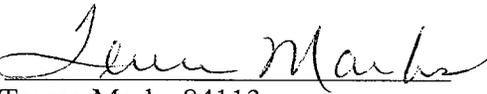
Comes the Plaintiff, State of Arkansas, ex rel. Mike Beebe, Attorney General and Separate Defendant Dey, Inc. and state that they have reached an agreement to settle the claims of the Plaintiff against Separate Defendant Dey, Inc. Plaintiff asserts that the terms of the Settlement Agreement are fair and adequate to protect the interests of the entities it represents and the entry of the Settlement Agreement is in the public interest. Therefore, the parties move the Court to dismiss only the claims filed against Separate Defendant Dey, Inc. in this matter, recognizing that the claims against the other defendants are not resolved and in no way are compromised or dismissed by this Joint Motion.

WHEREFORE, the Plaintiff, State of Arkansas, ex rel. Mike Beebe, Attorney General and Separate Defendant Dey, Inc. respectfully request this Court enter an Order

dismissing the claims asserted against Separate Defendant Dey Inc. in this matter with prejudice in accordance with the terms of the Settlement Agreement.

Respectfully submitted,

MIKE BEEBE  
Attorney General, State of Arkansas

By:   
Teresa Marks 84113  
Deputy Attorney General  
Bradford Phelps  
Assistant Attorney General  
Jeanette Hamilton  
Senior Assistant Attorney General  
323 Center St., Ste. 200  
Little Rock, AR 72201  
(501) 682-3561

Dey, Inc.

By:   
Steven W. Quattlebaum 84127  
Charles W. Schlumberger 79253  
Quattlebaum, Grooms, Tull &  
Barrow PLLC  
111 Center St., Suite 1900  
Little Rock, AR 72201  
(501) 379-1700

Paul F. Doyle  
Christopher C. Palermo  
Kelley Drye & Warren LLP  
101 Park Ave.  
New York, NY 10178  
(212) 808-7800