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NOT FOR PUBLICATION

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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In Re Zicam Cold Remedy Marketing,
Sales Practices, and Products Liability
Litigation

No. 09-md-2096-PHX-FJM

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ORDER

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This document relates to:

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Charlene Gardner and Lois Hobbs
v. Matrixx Initiatives, Inc., et al.

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CV-10-0787-PHX-FJM

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The court has before it the parties' "Stipulation for Voluntary Dismissal With Prejudice as to Plaintiff Charlene Gardner" (doc. 1016). Pursuant to Rule 41(a)(1)(A)(ii), Fed. R. Civ. P., plaintiff may dismiss an action by filing a stipulation of dismissal signed by all parties who have appeared. Further, the parties may stipulate that the dismissal be with prejudice. Fed. R. Civ. P. 41(a)(1)(B).

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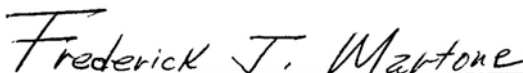
Therefore, **IT IS ORDERED GRANTING** the parties' stipulation for dismissal (doc. 1016). **IT IS ORDERED** that the complaint is dismissed with prejudice as to plaintiff Charlene Gardner only, each party to bear its own costs and attorneys' fees.

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DATED this 22nd day of October, 2010.

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Frederick J. Martone
United States District Judge

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