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Attorneys for: Plaintiffs

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA / FRESNO DIVISION

ABARCA, RAUL VALENCIA, et al.

Plaintiffs,

v.

MERCK & CO., INC., et al.,

Defendants.

Case No. 1:07-CV-0388 OWW DLB

**DISMISSAL OF ROBERTO RAMIREZ
 WITH PREJUDICE FROM ALL CLAIMS
 IN THE FIFTH AMENDED COMPLAINT
 AS TO ALL DEFENDANTS**

Plaintiffs hereby dismiss Roberto Ramirez with prejudice from all claims in the Fifth Amended Complaint as to all defendants.

Dated: February 5, 2009

MARDEROSIAN, RUNYON, CERONE
LEHMAN & ARMO

By: /s/ Michael G. Marderosian, Esq.
MICHAEL G. MARDEROSIAN,
Attorney for Plaintiffs above named

Dated: February 5, 2009

SHERNOFF, BIDART, DARRAS & ECHEVERRIA

By: /s/ Michael J. Bidart, Esq.
MICHAEL J. BIDART,
Attorneys for Plaintiffs above named

Dated: February 5, 2009

GIRARDI & KEESE

By: /s/ Thomas V. Girardi, Esq.
THOMAS V. GIRARDI
Attorneys for Plaintiffs above named

Dated: February 5, 2009

LAW OFFICE OF JACK SILVER

By: /s/ Jack Silver, Esq.
JACK SILVER,
Attorneys for Plaintiffs above named

ORDER

Roberto Ramirez is hereby dismissed with prejudice from all claims in the Fifth Amended Complaint as to all defendants.

IT IS SO ORDERED.

Dated: February 5, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE