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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 VICTOR J. AZEVEDO  
 AND VICTOR JOSEPH AZEVEDO WITH  
 PREJUDICE FROM ALL CLAIMS IN  
 THE FIFTH AMENDED COMPLAINT AS  
 TO ALL DEFENDANTS AND ORDER**

Plaintiffs hereby dismiss VICTOR J. AZEVEDO and VICTOR JOSEPH AZEVEDO with prejudice from all claims in the Fifth Amended Complaint as to all defendants.

Dated: February 6, 2009

MARDEROSIAN, RUNYON, CERCONE  
LEHMAN & ARMO

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

Dated: February 6, 2009

SHERNOFF, BIDART, DARRAS &amp; ECHEVERRIA

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

Dated: February 6, 2009

GIRARDI &amp; KEESE

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

Dated: February 6, 2009

LAW OFFICE OF JACK SILVER

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

## ORDER

IT IS SO ORDERED.

**Dated: February 6, 2009**

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE