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5 Attorney for Plaintiff

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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
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 15 \_\_\_\_\_ )  
 16 IN RE: BEXTRA AND CELEBREX )  
 17 MARKETING SALES PRACTICES AND )  
 18 PRODUCT LIABILITY LITIGATION )

Docket No.: 3:05-cv-04495

**MDL NO. 1699**

**District Judge: Charles R. Breyer**

19 Fred Matthews, )  
 20 )  
 21 Plaintiff, )

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

22 vs. )

23 Pfizer, Inc., et al. )  
 24 )  
 25 Defendants. )

26 Come now the Plaintiff, FRED MATTHEWS and Defendants, by and through the  
 27 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby  
 28 stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys'  
 fees and costs.


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DATED: 9/29, 2009

By:   
Tom Dutton  
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Attorney for Plaintiff

DATED: Sept. 28, 2009

By:   
DLA PIPER LLP (US)  
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Facsimile: (212) 335-4501  
*Defendants' Liaison Counsel*

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,  
IT IS SO ORDERED.**

Dated: 9/30/09

Hon. Charles R. Breyer  
United States District Court

