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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX MARKETING SALES PRACTICES AND PRODUCT LIABILITY LITIGATION	Case Specific Number: 05-4546 **MDL NO. 1699** **District Judge: Charles R. Breyer**
HARLEY HORNE, Plaintiff, vs. PFIZER, INC., et al., Defendants.	**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

Come now the Plaintiff, HARLEY HORNE, and Defendants, PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

DATED: February 17, 2009

LEVIN, PAPANTONIO, THOMAS, MITCHELL, ECHSNER & PROCTOR, P.A.

By: _____
Peter L. Kaufman
Attorneys for Plaintiffs

DATED: August 6, 2009

GORDON & REES

By: /s/
Stuart M. Gordon
Attorneys for Defendants

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

Dated: AUG 1 7 2009

_____
Hon. Charles R. Breyer
United States District Court