

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX)
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)
)

MDL NO.: 1699
District Judge: Charles R.
Breyer
Docket No.: 05-4734 CRB

MATTHEW CAVALLO *et ux* SALLY)
CAVALLO, ALPHONSE DEROSA,)
VICTORIA SMITH AND REBECCA)
WHITAKER,)

Plaintiffs,)

STIPULATION OF PARTIAL
DISMISSAL WITH
PREJUDICE AGAINST
PFIZER DEFENDANTS

-vs-

PFIZER, INC., PHARMACIA)
CORPORATION, a wholly-owned subsidiary)
of PFIZER, INC., and PHARMACIA &)
UPJOHN COMPANY, a wholly-owned)
subsidiary of PHARMACIA CORPORATION,)

Defendants.)

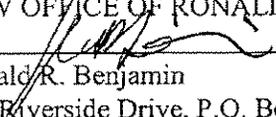
IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs Victoria Smith and Rebecca Whitaker, ("Plaintiffs"), Defendants Pfizer Inc., Pharmacia Corporation and Pharmacia & Upjohn Company ("Pfizer Defendants"), through their respective attorneys, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action, Plaintiffs Victoria Smith and Rebecca Whitaker's claims asserted against Pfizer

Defendants, which were filed in a Complaint in the above-entitled action are dismissed with prejudice and without costs to any of the parties as against the other.

This Stipulation, however, is a partial dismissal in that it does not affect any claims, counterclaims or issues by or between Defendants and Plaintiffs Matthew Cavallo or Alphonse DeRosa. This Stipulation may be filed without further notice with the Clerk of the Court. A facsimile copy of this Stipulation shall have the same effect as the original.

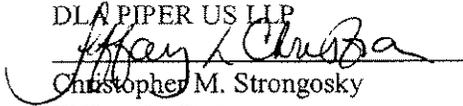
Dated: Binghamton, New York
December 18, 2008

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IT IS SO ORDERED.

January 22, 2009.

