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9 Attorneys for Plaintiffs, Angelo Vitale and Nancy Vitale

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

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13	_____)	CASE NO. C05-5353 (CRB)
14	IN RE: BEXTRA AND CELEBREX)	MDL NO. 1699
15	MARKETING SALES PRACTICES AND)	District Judge: Charles R. Breyer
16	PRODUCT LIABILITY LITIGATION)	
17	_____)	
18	ANGELO VITALE AND NANCY VITALE,)	
19	Plaintiffs,)	STIPULATION AND ORDER OF
20	vs.)	DISMISSAL WITH PREJUDICE
21	G.D. SEARLE & CO., PHARMACIA)	
22	CORPORATION; MONSANTO COMPANY,)	
23	a Delaware corporation; PFIZER, INC., a)	
24	Delaware corporation; PFIZER GLOBAL)	
25	RESEARCH &)	
26	DEVELOPMENT,)	
27	Defendants.)	

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27 Come now the Plaintiffs, **ANGELO VITALE and NANCY VITALE** and Defendants,
28 by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

1 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing
2 its own attorneys' fees and costs.
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5 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

6 By: Mark P. Robinson, Jr.
7 MARK P. ROBINSON, JR.

8 Attorneys for Plaintiffs Angelo Vitale and
Nancy Vitale
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10 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

11 By: /s/
12 Matt Holian
13 Attorneys for Defendants
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15 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
16 **IT IS SO ORDERED.**

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18 Dated: OCT 28 2009

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20 Hon. Charles R. Breyer
21 United States District Court
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