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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 NO. C05-5421 (CRB) MDL NO. 1699 District Judge: Charles R. Breyer
EDWIN WAGNER, Plaintiff, vs. G.D. SEARLE & CO., PHARMACIA CORPORATION; MONSANTO COMPANY, a Delaware corporation; PFIZER, INC., a Delaware corporation, Defendants.	STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Come now the Plaintiff, **EDWIN WAGNER** and Defendants, by and through the

undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby

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1 stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys'

2 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.
                                         Attorneys for Plaintiff Mark Wagner
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   DATED: ___Oct. 22___, 2009   DLA PIPER LLP (US)
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11   By: ___/s/_____
                                             Matt Holian
12   Attorneys for Defendants

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15 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
    IT IS SO ORDERED.**
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17 Dated: **OCT 2 8 2009**

18   Hon. Charles R. Breyer
                                        United States District Court
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