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10 Attorneys for Plaintiffs, Clemon S. Seaton, Jr. and Shirley Kay Seaton

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 **IN RE: BEXTRA AND CELEBEX**  
14 **MARKETING SALES PRACTICES AND**  
15 **PRODUCT LIABILITY LITIGATION**

) **CASE NO. C05-5436 (CRB)**  
) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**

16 **CLEMON S. SEATON, JR., AND SHIRLEY**  
17 **KAY SEATON,**

18 **Plaintiffs,**

) **STIPULATION AND ORDER OF**  
) **DISMISSAL WITH PREJUDICE**

19 **vs.**

20 **G.D. SEARLE & CO., PHARMACIA**  
21 **CORPORATION; MONSANTO**  
22 **COMPANY, a Delaware corporation;**  
23 **PFIZER, INC., a Delaware corporation;**  
24 **PFIZER GLOBAL RESEARCH &**  
25 **DEVELOPMENT,**

26 **Defendants.**

27 Come now the Plaintiffs, **CLEMON S. SEATON, JR. and SHIRLEY KAY SEATON**  
28 and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil

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

3  
4  
5 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

6 By: Mark P. Robinson, Jr.  
7 MARK P. ROBINSON, JR.  
8 Attorneys for Plaintiffs, Clemon S. Seaton and  
9 Shirley Kay Seaton

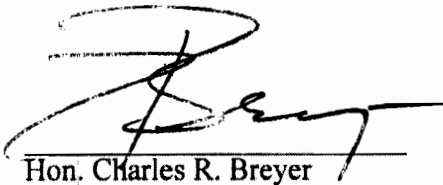
10 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

11 By: /s/  
12 Matt Holian  
13 Attorneys for Defendants

14  
15 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,  
16 IT IS SO ORDERED.**

17 Dated: OCT 28 2009

18   
19 Hon. Charles R. Breyer  
20 United States District Court