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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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13 **IN RE: BEXTRA AND CELEBEX**
14 **MARKETING SALES PRACTICES AND**
15 **PRODUCT LIABILITY LITIGATION**

) **CASE NO. C 06-0128 (CRB)**

) **MDL NO. 1699**

) **District Judge: Charles R. Breyer**

16 **KEVIN YONKE and MALINDA YONKE,**

17 **Plaintiffs,**

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

18 **vs.**

19 **G.D. SEARLE & CO.; PHARMACIA**
20 **CORPORATION; MONSANTO**
21 **COMPANY; and PFIZER, INC.,**

22 **Defendants.**

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25 Come now the Plaintiffs, **KEVIN YONKE and MALINDA YONKE** and Defendants,

26 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 Kevin Yonke and
9 Malinda Yonke


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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