

1 **ROBINSON, CALCAGNIE & ROBINSON**
2 620 Newport Center Drive, Suite 700
3 Newport Beach, California 92660
4 Telephone: (949) 720-1288
5 Facsimile: (949) 720-1292

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9 Attorneys for Plaintiffs, Teresa Middleton and Timothy Middleton

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

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

) **CASE NO. C06-0142 (CRB)**

) **MDL NO. 1699**

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

16 **TERESA MIDDLETON AND TIMOTHY**
17 **MIDDLETON,**

18 **Plaintiffs,**

19 **vs.**

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

25 **Defendants.**

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

26 Come now the Plaintiff, **TERESA MIDDLETON and TIMOTHY MIDDLETON** and
27 Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil
28

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.
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4
5 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

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

8 Attorneys for Plaintiff Teresa Middleton and
Timothy Middleton
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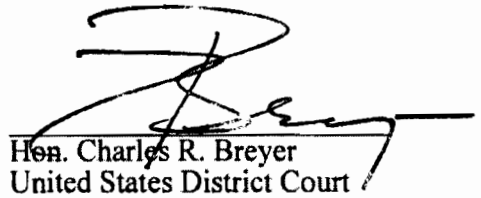
10 DATED: Oct. 22, 2009

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.**

17
18 Dated: OCT 28 2009

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Hon. Charles R. Breyer
United States District Court
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