

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX )  
MARKETING SALES PRACTICES AND )  
PRODUCT LIABILITY LITIGATION )

3:06CV00170

MDL NO. 1699

District Judge: Charles R. Breyer

GERALD RUSSELL AND )  
RUBY POWE )  
Plaintiffs )

STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

vs. )

PFIZER, INC., ET AL. )  
Defendants )

Comes now the Plaintiffs, RUBY POWE, INDIVIDUALLY AND ON BEHALF OF ALL WRONGFUL DEATH BENEFICIARIES AND AS REPRESENTATIVE OF THE ESTATE OF GERALD RUSSELL, DECEASED, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

DATED: August 20, 2009

By: 

Attorneys for Plaintiff,  
Ruby Powe, Individually  
and O/B/O All Wrongful Death  
Beneficiaries and As  
Representative of the Estate of  
Gerald Russell, Deceased

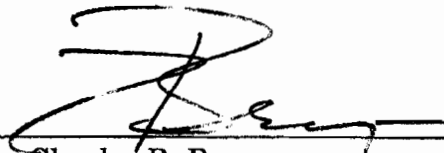
DATED: December 15, 2009

By: 

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*Defendants' Liaison Counsel*

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

Dated: JAN - 4 2010

  
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Hon. Charles R. Breyer  
United States District Court