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17 Attorneys for Plaintiffs

18 **IN THE UNITED STATES DISTRICT COURT**
19 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
20 **(SAN FRANCISCO DIVISION)**

21 IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
22 MARKETING SALES PRACTICES AND)
23 PRODUCT LIABILITY LITIGATION)
24 _____)
25)
26 ACQUAROLE, et al.,) CASE NO. CGC-06-449463
27) MDL Case No. 06-2392 CRB
28)
29 Plaintiffs,) STIPULATION AND ORDER OF
30) DISMISSAL WITH PREJUDICE
31 vs.) AS TO PLAINTIFF AARON PORTER
32)
33 PFIZER, INC., et al.)
34)
35 Defendants.)
36 _____)

37 COME NOW, Plaintiff AARON PORTER and Defendants PFIZER, INC., et al., by and
38 through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

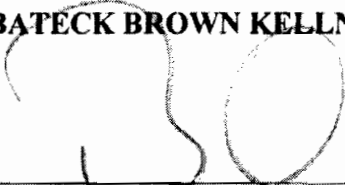
STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF AARON PORTER

1 hereby stipulate to the dismissal of Plaintiff AARON PORTER from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5
6 Dated: September 24, 2009

KABATECK BROWN KELLNER LLP

7
8 By: 
9 Brian S. Kabateck, Esq.
10 Attorneys for Plaintiff AARON PORTER

11 Dated: October 27, 2009

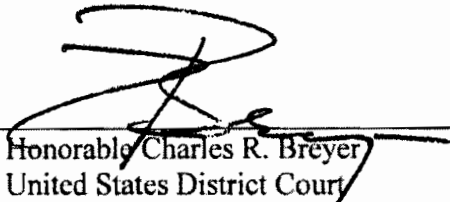
DLA PIPER LLP

12
13 By: /s/
14 Matthew A. Holian
15 Attorney for Defendants PFIZER, INC., et al.

16
17 **ORDER**

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

20
21 Dated: OCT 29 2009


22 Honorable Charles R. Breyer
23 United States District Court