

**KABATECK BROWN KELLNER LLP**

BRIAN S. KABATECK, ESQ. / BAR #152054

RICHARD L. KELLNER, ESQ. / BAR #171416

644 South Figueroa Street

Los Angeles, CA 90017

Telephone: (213) 217-5000

Facsimile: (213) 217-5010

Email: [bsk@kbklawyers.com](mailto:bsk@kbklawyers.com)

**KHORRAMI POLLARD & ABIR LLP**

SHAWN KHORRAMI, ESQ. / BAR #180411

DYLAN POLLARD, ESQ. / BAR #180306

444 So. Flower Street, Thirty-Third Floor

Los Angeles, CA 90071

Telephone: (213) 596-6000

Facsimile: (213) 596-6010

Email: [dpollard@kpalawyers.com](mailto:dpollard@kpalawyers.com)

Attorneys for Plaintiffs

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

IN RE: BEXTRA AND CELEBREX ) MDL CASE NO.: 05-CV-1699  
MARKETING SALES PRACTICES AND )  
PRODUCT LIABILITY LITIGATION )

ACQUAROLE, et al., ) CASE NO. CGC-06-449463  
 ) MDL Case No. 06-2392 CRB

Plaintiffs, ) STIPULATION AND ORDER OF  
 ) DISMISSAL WITH PREJUDICE  
vs. ) AS TO PLAINTIFF KAY RABORN

PFIZER, INC., et al. )

Defendants. )

COME NOW, Plaintiff KAY RABORN and Defendants PFIZER, INC., et al., by and  
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 KAY RABORN**

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

3  
4 Respectfully submitted,

5 Dated: September 24, 2009

**KABATECK BROWN KELLNER LLP**

6  
7  
8 By: 

Brian S. Kabateck, Esq.

Attorneys for Plaintiff KAY RABORN

9  
10  
11 Dated: October 27, 2009

**DLA PIPER LLP**

12  
13 By: /s/

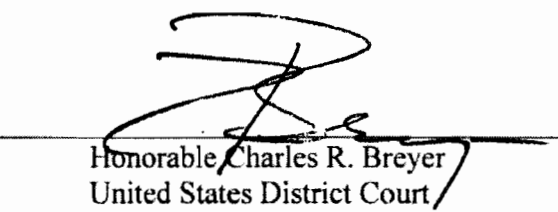
Matthew A. Holian

Attorney for Defendants PFIZER, INC., et al.

14  
15  
16 **ORDER**

17  
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**  
19 **SO ORDERED.**

20  
21 Dated: OCT 29 2009

  
Honorable Charles R. Breyer  
United States District Court