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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,

vs.

PFIZER, INC., et al.

Defendants.

) STIPULATION AND ORDER OF
) DISMISSAL WITH PREJUDICE
) AS TO PLAINTIFF BILLY MCDANIEL

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

Kabateck Brown Kellner, LLP
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1 and hereby stipulate to the dismissal of Plaintiff BILLY MCDANIEL from this action, with
2 prejudice, each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

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6 Dated: September 24, 2009

KABATECK BROWN KELLNER LLP

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8 By: 
9 Brian S. Kabateck, Esq.
Attorneys for Plaintiff BILLY MCDANIEL

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11 Dated: October 27, 2009

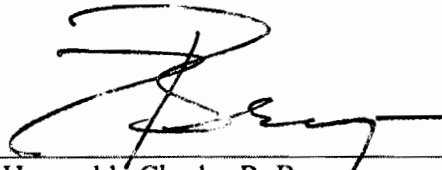
DLA PIPER LLP

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

15
16 **ORDER**

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

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21 Dated: OCT 29 2009


22 Honorable Charles R. Breyer
23 United States District Court
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