

Kabateck Brown Kellner, LLP
644 South Figueroa Street
Los Angeles, California 90017
(213) 217-5000
FAX (213) 217-5010

1 **KABATECK BROWN KELLNER LLP**
2 BRIAN S. KABATECK, ESQ. / BAR #152054
3 RICHARD L. KELLNER, ESQ. / BAR #171416
4 644 South Figueroa Street
5 Los Angeles, CA 90017
6 Telephone: (213) 217-5000
7 Facsimile: (213) 217-5010
8 Email: bsk@kbklawyers.com

9 **KHORRAMI POLLARD & ABIR LLP**
10 SHAWN KHORRAMI, ESQ. / BAR #180411
11 DYLAN POLLARD, ESQ. / BAR #180306
12 444 So. Flower Street, Thirty-Third Floor
13 Los Angeles, CA 90071
14 Telephone: (213) 596-6000
15 Facsimile: (213) 596-6010
16 Email: dpollard@kpalawyers.com

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 ACQUAROLE, et al.,) CASE NO. CGC-06-449463
26) MDL Case No. 06-2392 CRB
27)
28 Plaintiffs,) STIPULATION AND ORDER OF
29) DISMISSAL WITH PREJUDICE
30 vs.) AS TO PLAINTIFF DANIEL MARTIN
31)
32 PFIZER, INC., et al.)
33)
34 Defendants.)
35 _____)

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

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF DANIEL MARTIN

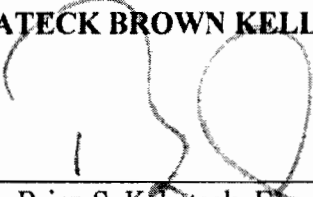
Kabateck Brown Kellner, LLP
644 South Figueroa Street
Los Angeles, California 90017
(213) 217-5000
FAX (213) 217-5010

1 hereby stipulate to the dismissal of Plaintiff DANIEL MARTIN 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 DANIEL MARTIN

11 Dated: October 27, 2009

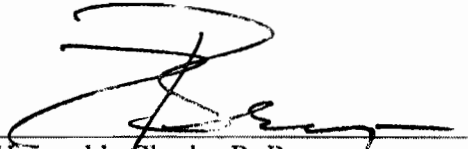
DLA PIPER LLP

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
24
25
26
27
28