

1 Plaintiff's Counsel:  
 Jayne Conroy  
 2 Hanly Conroy Bierstein Sheridan  
 Fisher & Hayes LLP  
 3 112 Madison Avenue  
 New York New York 10016-7416  
 4 (212) 784-6400  
 (212) 284-6420 (fax)

5 -and-

6 SimmonsCooper LLC  
 7 707 Berkshire Blvd.  
 East Alton, IL 62024  
 8 (618) 259-2222  
 (212) 259-2251 (Fax)

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

14 IN RE: BEXTRA AND CELEBREX  
 15 MARKETING SALES PRACTICES,  
 AND PRODUCT LIABILITY  
 16 LITIGATION

Case No. M:05-CV-01699-CRB

MDL NO. 1699

**STIPULATION AND ORDER OF DISMISSAL  
 WITH PREJUDICE**

17 This Document Relates To:

18 *Robert Benton and Barbara Benton, vs.*  
*Pfizer, Inc.,*  
 19 MDL No. 06-2544: Plaintiff Robert W.  
Benton and Barbara Benton

21 Come now the Plaintiffs, Robert W. Benton and Barbara Benton, and Defendant, Pfizer  
 22 Inc., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule  
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 24  
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 26  
 27  
 28

1 41(a), and hereby stipulate to the dismissal with prejudice of Plaintiffs, **Robert W. Benton and**  
2 **Barbara Benton's** action only, with each side bearing its own attorneys' fees and costs.

3  
4  
5 Dated: \_\_\_\_\_, 2009

6 By: \_\_\_\_\_  
7 Jayne Conroy  
8 **HANLY CONROY BIERSTEIN**  
9 **SHERIDAN FISHER & HAYES LLP**  
10 112 Madison Avenue  
11 New York, New York 10016-7416  
12 (212) 784-6400  
13 (212) 784-6420 (Fax)  
14 Email: jconroy@hanlyconroy.com

15 -and-

16 **SIMMONSCOOPER LLC**  
17 707 Berkshire Blvd.  
18 East Alton, IL 62024  
19 (618) 259-2222  
20 (618) 259-2251 (Fax)

21 *Counsel for Plaintiff.*

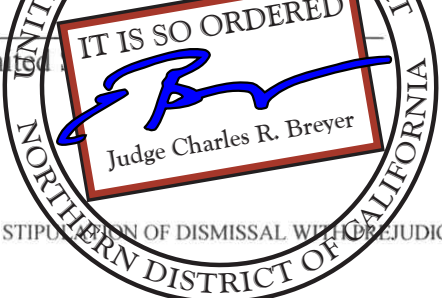
22 Dated: \_\_\_\_\_, 2009

23 By: \_\_\_\_\_  
24 Michelle W. Sadowsky  
25 **DLA PIPER US LLP**  
26 1251 Avenue of the Americas  
27 New York, New York 10020-1104  
28 (212) 335-4625  
(212) 884-8675 (Fax)

*Counsel for Defendant Pfizer, Inc.*

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

31 Dated: \_\_\_\_\_ May 19 \_\_, 2009

32 By: \_\_\_\_\_  
33 Under Seal  
34   
35 Judge Charles R. Breyer