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Attorneys for Plaintiffs,  
Oldfather Law Offices  
1330 South Third Street  
Louisville, KY 40222  
(502) 637-7200

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCT LIABILITY LITIGATION

Case No. 3:06-cv-02670-CRB  
MDL NO. 1699  
District Judge: Charles R. Breyer

CHARLES POOLE and  
LISA POOLE  
  
Plaintiffs,

STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

vs.

PFIZER, INC., JOHN DOE ONE,  
JOHN DOE TWO, and  
ANTHONY HUBBUCH, MD

Defendants.

Come now the Plaintiffs, CHARLES POOLE and LISA POOLE, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys' fees and costs.

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DATED: 12-10, 2009 OLD FATHER LAW OFFICES

By: Ann B. Oldfather /with permission  
Ann B. Oldfather  
Attorneys for Plaintiffs

DATED: 12-10, 2009 DARBY & GAZAK

By: James E. Smith /with permission  
David Gazak  
James E. Smith  
Attorneys for Defendant Anthony Hubbuch, MD

DATED: February 3, 2010 DLA PIPER LLP (US)

By: Michelle  
Michelle W. Sadowsky  
Attorneys for Defendant Pfizer, Inc.

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

Date: FEB 16 2010

[Signature]  
Hon. Charles R. Breyer  
United States District Court