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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

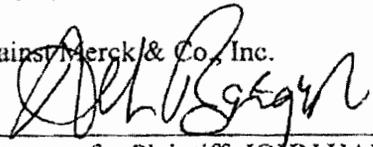
(SAN FRANCISCO DIVISION)

In re: Bextra and Celebrex Marketing Sales * MDL No. 1699
Practices and Product Liability Litigation * District Judge: Charles R. Breyer

JOHN HARDEY, HUSBAND * Case No. 06-2690
OF AND GRETA HARDEY *
*
Plaintiff, * STIPULATION AND ORDER OF
* DISMISSAL WITH PREJUDICE
*
VS. *
*
PFIZER, INC. , et al *
*
Defendants. *

Comes now the Plaintiff, **JOHN HARDEY, HUSBAND OF AND GRETA HARDEY,**
by and through the undersigned attorney(s), pursuant to Federal Rule of Civil Procedure, Rule
41(a), and hereby seeks dismissal of this action *with prejudice* with each side bearing its own
attorneys' fees and costs and reserving all rights against Merck & Co., Inc.

Dated: 11/18/09

BY 
Attorney for Plaintiff, JOHN HARDEY

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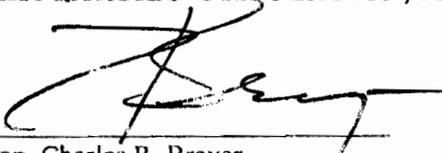
Dated: December 11, 2009

BY: 

DLA PIPER LLP (US)
1251 Avenue of the Americas
New York, NY 10020
(212)335-4500
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DEFENDANTS' LIAISON COUNSEL

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

Dated: DEC 16 2009



Hon. Charles R. Breyer,
United States District Court