

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Thomas P. Carmell, 45366  
Thomas J. Preuss, 54923  
Christopher L. Schmieders 57725  
Wagstaff & Carmell LLP  
4740 Grand Avenue, Suite 300  
Kansas City, MO 64112  
Phone: 816-701-1100  
Facsimile: 816-531-2372  
Attorneys for Plaintiffs, Tommie DeVault

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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

)  
) Case Specific Number 06-2771  
)  
) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**  
)

Tommie DeVault,  
Plaintiffs,

vs.

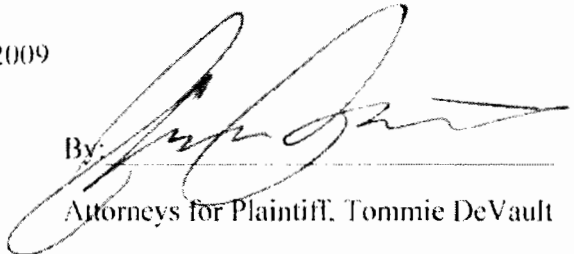
Pfizer, Inc., et al.  
Defendants.

)  
) **STIPULATION AND ORDER OF**  
) **DISMISSAL WITH PREJUDICE**  
)  
)  
)  
)  
)

Come now the Plaintiffs, (TOMMIE DEVAULT) 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.

DATED: February 20, 2009

By: \_\_\_\_\_




Attorneys for Plaintiff, Tommie DeVault

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

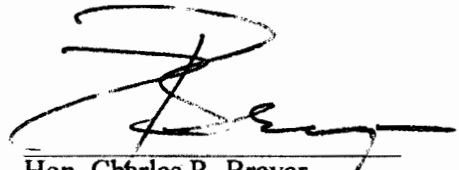
DATED: April 27, 2009

DLA PIPER US LLP

By:   
\_\_\_\_\_  
Michelle Sadowsky  
Attorneys for Defendants

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

Dated: APR 30 2009

  
\_\_\_\_\_  
Hon. Charles R. Breyer  
United States District Court