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9 -and-

10 SimmonsCooper LLC  
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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 IN RE: BEXTRA AND CELEBREX  
19 MARKETING SALES PRACTICES,  
20 AND PRODUCT LIABILITY  
21 LITIGATION

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

MDL NO. 1699

**STIPULATION AND ORDER OF DISMISSAL  
WITH PREJUDICE**

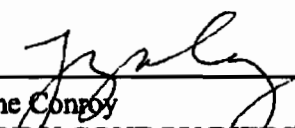
22 This Document Relates To:

23 *James A. and Betty Elmore, vs. Pfizer,*  
24 *Inc.,*  
25 MDL No. 06-2883: Plaintiff James A.  
26 Elmore and Betty Elmore

27 Come now the Plaintiffs, James A. Elmore and Betty Elmore, and Defendant, Pfizer Inc.,  
28 by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

1 41(a), and hereby stipulate to the dismissal with prejudice of Plaintiffs, James A. Elmore and  
2 Betty Elmore's action only, with each side bearing its own attorneys' fees and costs.  
3  
4

5 Dated: \_\_\_\_\_, 2009  
6


By:   
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15 *Counsel for Plaintiff.*

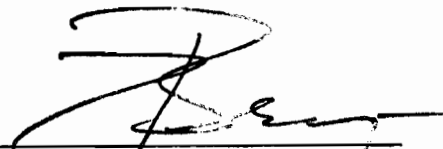
16  
17  
18 Dated: March 11, 2009

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22 *Counsel for Defendant Pfizer, Inc.*

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

25  
26 Dated: MAR 30, 2009

By:   
United States District Court