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Attorneys for Plaintiffs,  
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Louisville, KY 40222  
(502) 753-1600

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-03166-CRB**  
) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**

RHODA OVERSTREET  
Plaintiff,

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

vs.

MERCK & CO., INC; PFIZER, INC; JOHN  
DOE ONE; JOHN DOE TWO

Defendants.

Comes now the Plaintiff, RHODA OVERSTREET, 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: 12-14, 2009      BUBALO HIESTAND & ROTMAN, PLC

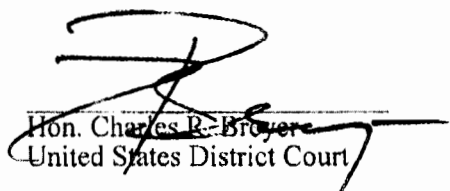
By: Leslie M. Cronen  
Leslie M. Cronen  
Attorneys for Plaintiffs

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

By: Michelle W. Sadowsky  
Michelle W. Sadowsky  
Attorneys for Defendants Pfizer

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

Date: FEB 16 2010

  
Hon. Charles R. Broyer  
United States District Court