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2 Attorneys for Plaintiffs,
3 Bubalo Hiestand & Rotman, PLC
4 9300 Shelbyville Road, Suite 215
Louisville, KY 40222
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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12 _____)
13 IN RE: BEXTRA AND CELEBREX)
14 MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

Case No. 3:06-cv-03169-CRB
MDL NO. 1699
District Judge: Charles R. Breyer

15 ERNEST D. WEBER, JR. and)
16 SHERRY WEBER, spouse)
17 Plaintiffs,)

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE

18 vs.)

19 MERCK & CO., INC; PFIZER, INC; JOHN)
DOE ONE; JOHN DOE TWO; STACIE)
20 GROSSFELD, M.D.; and ORTHOPEDIC)
SPECIALISTS PLLC)

21 Defendants.
22 _____

23 Come now the Plaintiffs, ERNEST D. WEBER, JR. and SHERRY WEBER, and
24 Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil
25 Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with
26 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: 12-14, 2009 O'BRYAN BROWN & TONER, PLLC

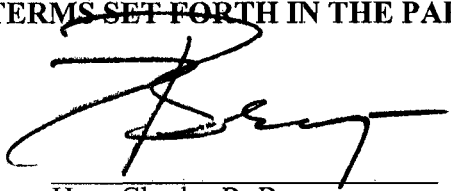
By: Joseph C. Klausning *with permission by LM Cronen*
Joseph C. Klausning
Attorneys for Defendants Stacie Grossfeld, MD and
Orthopedic Specialists, PLLC

DATED: 01/13/2010 DLA PIPER LLP (US)

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

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

Dated JAN 19 2010


Hon. Charles R. Breyer
United States District Court