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Attorneys for Plaintiffs,  
Bubalo Hiestand & Rotman, PLC  
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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-03170-CRB  
MDL NO. 1699  
District Judge: Charles R. Breyer

ROBERT MANLEY and  
PATRICIA MANLEY, spouse  
  
Plaintiffs,

STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

vs.

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

Defendants.

Come now the Plaintiffs, ROBERT MANLEY and PATRICIA MANLEY, 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

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

Dated: FEB 16 2010

[Signature]  
Hon. Charles R. Breyer  
United States District Court