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7 Attorneys for Plaintiffs, Michael Schnek

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 IN RE: BEXTRA AND CELEBREX  
12 MARKETING SALES PRACTICES AND  
13 PRODUCT LIABILITY LITIGATION

) **Case No. 3:06-cv-03559-CRB**  
) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**

14 MICHAEL SCHNEK,  
15  
16 Plaintiffs,

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

17 vs.

18 Pfizer Inc., et al.  
19 Defendants.

20 Come now the Plaintiff, MICHAEL SCHNEK, and Defendants, by and through the  
21 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby  
22 stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys'  
23 fees and costs.

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DATED: November 9, 2009

AUDET & PARTNERS, LLP



By: \_\_\_\_\_  
Counsel's Name  
Attorneys for Plaintiff, Michael Schenk

DATED: Dec. 22, 2009

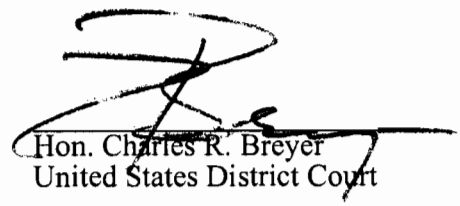
DLA PIPER LLP (US)



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

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

Dated: JAN - 4 2010



Hon. Charles R. Breyer  
United States District Court