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6 Attorneys for Plaintiffs, Roger Zettle and Judith Zettle

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
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14 **IN RE: BEXTRA AND CELEBREX )**  
15 **MARKETING SALES PRACTICES AND )**  
16 **PRODUCT LIABILITY LITIGATION )**

**CASE NO. C06- 3642 (CRB)**

**MDL NO. 1699**

**District Judge: Charles R. Breyer**

17 **ROGER ZETTLE and JUDITH ZETTLE,**

18 **Plaintiffs,**

19 **vs.**

20 **G.D. SEARLE & CO.; PHARMACIA )**  
21 **CORPORATION; MONSANTO )**  
22 **COMPANY; and PFIZER, INC., )**

23 **Defendants.**

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

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25 Come now the Plaintiffs, **ROGER ZETTLE and JUDITH ZETTLE** and Defendants,  
26 by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule  
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1 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing  
2 its own attorneys' fees and costs.

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5 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON  
By: Mark P. Robinson, Jr.  
MARK P. ROBINSON, JR.  
Attorneys for Plaintiffs Roger Zettle and  
Judith Zettle

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9 DATED: Oct. 22, 2009

DLA PIPER LLP (US)  
By: /s/  
Matt Holian  
Attorneys for Defendants

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

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17 Dated: OCT 28 2009

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