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5 Attorney for Plaintiff

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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 16 IN RE: BEXTRA AND CELEBREX
 MARKETING SALES PRACTICES AND
 17 PRODUCT LIABILITY LITIGATION

)
) Docket No.: 3:06-CV-03656
)
) **MDL NO. 1699**
) **District Judge: Charles R. Breyer**

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 19 Embry Wayne Hester, as Administrator of the
 Estate of Martha Carolyn Hester, deceased

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

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Plaintiff,

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vs.

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Pfizer, Inc., et al.

Defendants.

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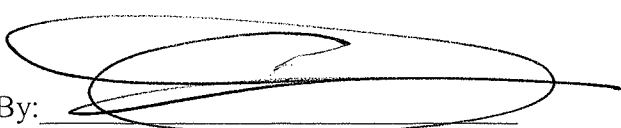
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26 Come now the Plaintiff, EMBRY WAYNE HESTER, as Administrator of the Estate of
 27 Martha Carolyn Hester, Deceased, and Defendants, by and through the undersigned attorneys,
 28 pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of
 this action with prejudice with each side bearing its own attorneys' fees and costs.

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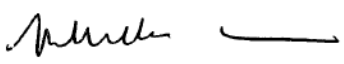
DATED: 5/7, 2009

By: 

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Attorney for Plaintiff

DATED: Sept. 28, 2009

By: 

DLA PIPER LLP (US)
1251 Avenue of the Americas
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Telephone: (212) 335-4500
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Defendants' Liaison Counsel

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

Dated: 9/30/09

Hon. Charles R. Breyer
United States District Court

