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10 Attorneys for Plaintiffs, Carl Busse, Jr. and Patricia Busse

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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

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

19 ) **CASE NO. C06- 4118 (CRB)**

20 ) **MDL NO. 1699**

21 ) **District Judge: Charles R. Breyer**

22 **Dan Jacobs, etc., et al.,**

23 **Plaintiffs,**

24 **vs.**

25 **G.D. SEARLE & CO., PHARMACIA**  
26 **CORPORATION; MONSANTO**  
27 **COMPANY, a Delaware corporation;**  
28 **PFIZER, INC., a Delaware**  
**corporation,**

**Defendants.**

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

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Come now the Plaintiffs, **CARL BUSSE, JR. and PATRICIA BUSSE** and Defendants,  
by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

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.

3  
4  
5 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

6 By: Mark P. Robinson, Jr.  
7 MARK P. ROBINSON, JR.  
8 Attorneys for Plaintiffs Carl Busse, Jr. and  
9 Patricia Busse

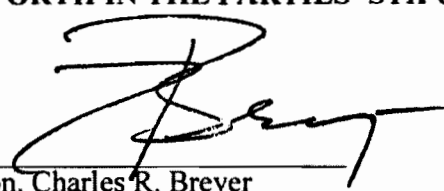
10 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

11 By: /s/  
12 Matt Holian  
13 Attorneys for Defendants

14  
15 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**  
16 **IT IS SO ORDERED.**

17  
18 Dated: OCT 28 2009

19   
20 Hon. Charles R. Breyer  
21 United States District Court