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9 Attorneys for Plaintiff, Rosann Van Lear

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

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13 IN RE: BEXTRA AND CELEBREX  
14 MARKETING SALES PRACTICES AND  
15 PRODUCT LIABILITY LITIGATION

CASE NO. C06-4120 (CRB)  
MDL NO. 1699  
District Judge: Charles R. Breyer

16 **NANCY FREDERICK, individually and on**  
17 **behalf of LARRY FREDERICK, deceased;**

18 **MARY SIMS, individually and on behalf of**  
19 **LINVILLE SIMS, deceased;**

20 **ROSANN VAN LEAR, individually and on**  
21 **behalf of TERRY VAN LEAR, deceased,**

22 **Plaintiffs,**

23 **vs.**

24 **G.D. SEARLE & CO.; PHARMACIA**  
25 **CORPORATION; MONSANTO**  
26 **COMPANY; and PFIZER, INC.,**

27 **Defendants.**

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

1 Come now the Plaintiff, **ROSANN VAN LEAR, individually and on behalf of**  
2 **TERRY VAN LEAR, deceased** and Defendants, by and through the undersigned attorneys,  
3 pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of  
4 this action **with prejudice** with each side bearing its own attorneys' fees and costs.  
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6  
7 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

8 By: Mark P. Robinson, Jr.  
9 MARK P. ROBINSON, JR.  
10 Attorneys for Plaintiff Rosann Van Lear,  
11 individually and on behalf of Terry Van Lear

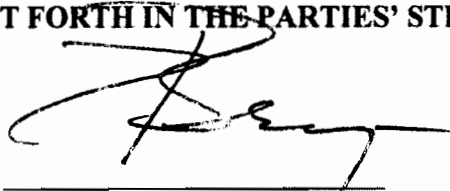
12 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

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14 By: /s/  
15 Matt Holian  
16 Attorneys for Defendants

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

20 Dated: OCT 28 2009

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22 Hon. Charles R. Breyer  
23 United States District Court  
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