

1 **ROBINSON, CALCAGNIE & ROBINSON**
2 620 Newport Center Drive, Suite 700
3 Newport Beach, California 92660
4 Telephone: (949) 720-1288
5 Facsimile: (949) 720-1292

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9 Attorneys for Plaintiff, Colleen Johnston

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. C 06-4123 (CRB)**

) **MDL NO. 1699**

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

16 **COLLEEN JOHNSTON, individually, and**
17 **on behalf of RICK DAVID JOHNSTON,**
18 **deceased,**

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

19 **Plaintiff,**

20 **vs.**

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

24 **Defendants.**
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27 Come now the Plaintiff, **COLLEEN JOHNSTON, individually, and on behalf of**
28 **RICK DAVID JOHNSTON, deceased** and Defendants, by and through the undersigned

1 attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the
2 dismissal of this action **with prejudice** with each side bearing its own attorneys' fees and costs.
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5 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

6 By: Mark P. Robinson, Jr.
7 MARK P. ROBINSON, JR.

8 Attorneys for Plaintiff Colleen Johnston,
9 individually and on behalf of Rick David Johnston,
10 Deceased

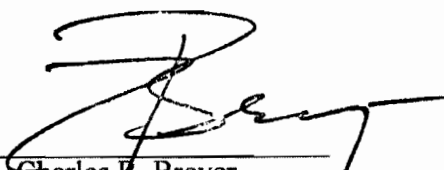
11 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

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

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

18 Dated: OCT 28 2009

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20 Hon. Charles K. Breyer
21 United States District Court
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