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5 Attorney for Plaintiff
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12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
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15 _____)
 16 IN RE: BEXTRA AND CELEBREX)
 17 MARKETING SALES PRACTICES AND)
 18 PRODUCT LIABILITY LITIGATION)

Docket No.: 3:06-CV-04156

MDL NO. 1699

District Judge: Charles R. Breyer

19 Darrell Banks,

20 Plaintiff,

21 vs.

22 Pfizer, Inc., et al.

23 Defendants.
 24 _____

**STIPULATION AND ORDER OF
 DISMISSAL WITH PREJUDICE**

25 Come now the Plaintiff, DARRELL BANKS and Defendants, by and through the
 26 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
 27 stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys'
 28 fees and costs.

1 DATED: Apr 13, 2009

By: 

Tom Dutton

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Attorney for Plaintiff

7 DATED: Sept. 28, 2009

By: 

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Defendants' Liaison Counsel

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

17 Dated: 10/1/09

18 Hon. Charles R. Breyer
19 United States District Judge

