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 Attorneys for Plaintiffs James Smith and Diane Smith, husband and wife, individually

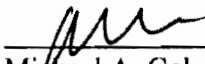
UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

_____ )	Case No. C-06-5207-CRB
IN RE: BEXTRA AND CELEBREX )	
MARKETING SALES PRACTICES AND )	<b>MDL No.: 1699</b>
PRODUCT LIABILITY LITIGATION )	<b>District Judge: Charles R. Breyer</b>
_____ )	
YOLANDA RODRIGUEZ and JUAN )	
MANUEL RODRIGUEZ, wife and husband, )	<b>Docket No.: 06-5207-CRB</b>
individually; JAMES SMITH and DIANE )	
SMITH, husband and wife, individually; )	
GWENNE K. PIERCE and DAVID R. )	<b>STIPULATION AND ORDER OF</b>
EVANS, wife and husband, individually, )	<b>DISMISSAL WITH PREJUDICE</b>
)	
Plaintiffs, )	
)	
vs. )	
)	
Pfizer, et al., )	
)	
Defendants. )	
_____ )	

Come now the Plaintiffs, JAMES SMITH and DIANE SMITH, husband and wife, individually, and Defendants, by and through the undersigned attorneys, 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.

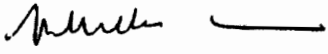
DATED: 0130, 2009

LOCKS LAW FIRM, LLC

By:   
Michael A. Galpern  
Attorneys for Plaintiffs James Smith and  
Diane Smith, husband and wife, individually

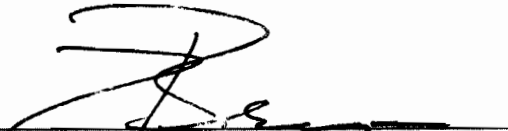
DATED: December 7, 2009

DLA PIPER LLP (US)

By:   
Michelle W. Sadowsky  
Attorney for Defendants

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

DATED: DEC 11 2009

  
Honorable Charles R. Breyer  
United States District Court