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7 Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

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11  
12 IN RE: BEXTRA AND CELEBREX  
13 MARKETING SALES PRACTICES AND  
14 PRODUCT LIABILITY LITIGATION

) **Case No. 06-5860 CRB**  
) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**

15 Barbara Kean,

16 Plaintiffs,

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

17 vs.

18 Pfizer Inc., et al.

19 Defendants.

20  
21 Come now the Plaintiff, Barbara Kean, and Defendants, by and through the undersigned  
22 attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the  
23 dismissal of this action **with prejudice** as to the plaintiff named herein only with each side  
24 bearing its own attorneys' fees and costs.

25  
26 DATED: Jan. 12, 2010

NAPOLI, BERN, RIPKA, LLP

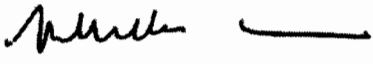
27 By:  \*by permission

28 Christopher LaPolo  
Attorneys for Plaintiffs

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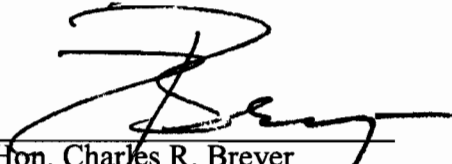
DATED: Jan. 12, 2010

DLA PIPER LLP (US)

By:   
\_\_\_\_\_  
Michelle W. Sadowsky  
*Attorneys for Defendants*

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

Dated: FEB 17 2010

  
\_\_\_\_\_  
Hon. Charles R. Breyer  
United States District Court