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Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION

JEROLD SMITH,

Plaintiff,

v.

PFIZER, INC.,

Defendant

Master Docket No.: M:05-CV-01699-CRB

MDL No.: 1699

Case No. C065987 CRB

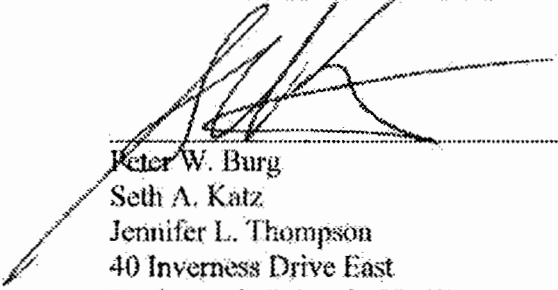
**STIPULATED DISMISSAL WITH  
PREJUDICE**

Come now the Plaintiff and Defendant Pfizer, Inc., by and through the undersigned attorneys, pursuant to Federal Rule Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this personal injury action against Pfizer Inc. Each side is to bear its own attorneys' fees and costs.

Respectfully submitted,

**BURG SIMPSON  
ELDREDGE HERSH & JARDINE, P.C.**

Dated: 3/11/09

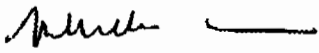


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**DLA PIPER, LLP**


Dated: March 24, 2009



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New York, New York 10020  
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**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS  
SO ORDERED.**

Dated: Dated: MAR 30 2009



Honorable Charles E. Breyer  
United States District Court