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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

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IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCT LIABILITY LITIGATION

)  
) Case Specific Number 06-6333  
) MDL NO. 1699  
) District Judge: Charles R. Breyer  
)

Charles Toegel, Jr.,  
Plaintiffs.

)  
) STIPULATION AND ORDER OF  
) DISMISSAL WITH PREJUDICE  
)

vs.

Pfizer, Inc., et al.  
Defendants.

Come now the Plaintiffs, (CHARLES TOEGEL, JR.) 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: February 20, 2009

By: 

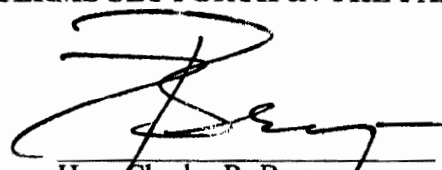
Attorneys for Plaintiff, Charles Toegel, Jr.

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DATED: April 27, 2009 DLA PIPER US LLP

By:   
Michelle Sadowsky  
Attorneys for Defendants

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

Dated: APR 30 2009   
Hon. Charles R. Breyer  
United States District Court