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7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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12	_____	)		<b>Case No. 06-6467 CRB</b>	
13	IN RE: BEXTRA AND CELEBREX	)		<b>MDL NO. 1699</b>	
14	MARKETING SALES PRACTICES AND	)		<b>District Judge: Charles R. Breyer</b>	
15	PRODUCT LIABILITY LITIGATION	)			
16	_____	)			
17	Franklin Thornton,	)			
18		)		<b>STIPULATION AND ORDER OF</b>	
19		)		<b>DISMISSAL WITH PREJUDICE</b>	
20		)			
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20 Come now the Plaintiffs, Franklin Thornton, and Defendants, by and through the  
21 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby  
22 stipulate to the dismissal of this action **with prejudice** as to the plaintiff named herein only with  
23 each side bearing its own attorneys' fees and costs.  
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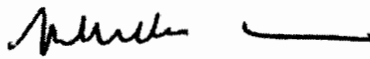
25 DATED: Jan. 12, 2010 MATTHEWS & ASSOCIATES

26  
27 By:   
28 David P. Matthews  
Attorneys for Plaintiffs

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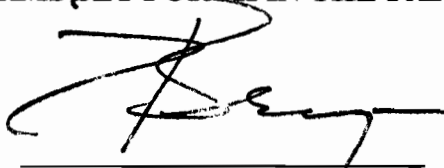
DATED: Jan. 12, 2010

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