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8 Attorneys for Plaintiffs,

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

13 MARGIE BURTON; VIRGINIA SMITH;) CASE NO.: C06-06658-CRB
 14 DOROTHY LEBO; ROBERT J. CAVALLIN;)
 HOMER L. PETERS; BILLY THOMAS;) [Assigned for all purposes to the
 15 KATHRYN GEIER; WALTER DENMAN;) Honorable Charles R. Breyer, Ctrm 8]
 JAMES IRWIN; MATT KOONTZ; OTTO NAY,)

16 Plaintiffs,

17 vs.

18 PFIZER INC.; PHARMACIA CORPORATION,)
 19 and G.D. SEARLE, LLC,)

20 Defendants.)

) **STIPULATION AND ORDER**
) **OF DISMISSAL WITH**
) **PREJUDICE (F.R.C.P. 41 (a))**
) **AS TO JAMES IRWIN, ONLY**

21 _____)
 22 COME NOW the Plaintiff, **JAMES IRWIN**, and Defendants, by and through the
 23 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and
 24 hereby stipulate to the dismissal of Plaintiff, **JAMES IRWIN, ONLY** with prejudice with
 25 each side bearing its own attorneys' fees and costs.

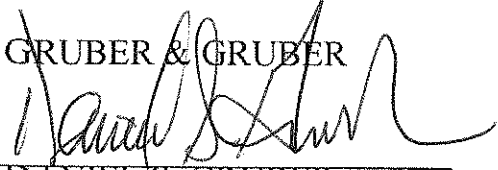
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2 DATE: May 14, 2009

GRUBER & GRUBER

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4 By:


DANIEL S. GRUBER
Attorneys for Plaintiffs

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6
7 DATE: May 14, 2009

GORDON & REES, LLP

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9 By:


STUART M. GORDON
Attorneys for Defendants, Pfizer, Inc.

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

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DATE: June 5, 2009

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