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3 **MATTHEWS & ASSOCIATES**  
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Attorneys for Plaintiffs  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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11  
12 IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
13 PRODUCT LIABILITY LITIGATION  
14

) **Case No. 06-6697 CRB**  
)  
) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**  
)

15 James Rhoades, Individually and on behalf of  
16 Ann Rhoades,

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

) Plaintiffs,  
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17  
18 vs.  
)

19 Pfizer Inc., et al.

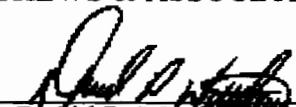
) Defendants.  
)  
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21 Come now the Plaintiff, James Rhoades, Individually and on behalf of Ann Rhoades, and  
22 Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil  
23 Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** as to  
24 the plaintiff named herein only with each side bearing its own attorneys' fees and costs.  
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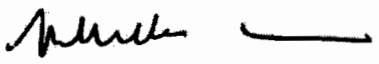
DATED: Jan. 12, 2010

MATTHEWS & ASSOCIATES

By:   
David P. Matthews  
*Attorneys for Plaintiffs*

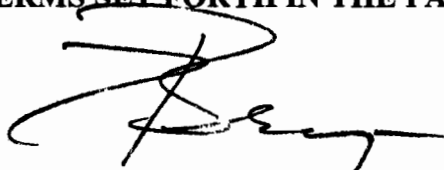
DATED: Jan. 12, 2010

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