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11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 \_\_\_\_\_ )  
15 IN RE: BEXTRA AND CELEBREX )  
16 MARKETING SALES PRACTICES AND )  
17 PRODUCT LIABILITY LITIGATION )

) Case Specific Number 06-6929  
) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**

18 Charles Cushing, )  
19 Plaintiffs, )

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

20 vs. )

21 Pfizer, Inc., et al. )  
22 Defendants. )

23 Come now the Plaintiffs, (CHARLES CUSHING) Defendants, by and through the  
24 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby  
25 stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys'  
26 fees and costs.

27 DATED: February 20, 2009


28 By: 

Attorneys for Plaintiff, Charles Cushing

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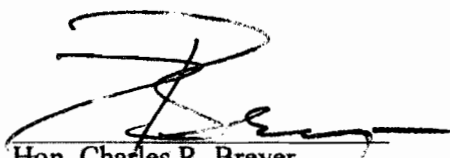
DATED: April 27, 2009

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

  
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Hon. Charles R. Breyer  
United States District Court