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5 Attorney for Plaintiff  
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12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14

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

Docket No.: 3:06-CV-07281

**MDL NO. 1699**

**District Judge: Charles R. Breyer**

19 A.C. Fryer,

Plaintiff,

20 vs.  
21

22 Pfizer, Inc., et al.

Defendants.  
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**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

24 Come now the Plaintiff, LULA McKINNES, as Personal Representative of the Estate of  
25 A. C. Fryer, Deceased and Defendants, by and through the undersigned attorneys, pursuant to  
26 Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action  
27 with prejudice with each side bearing its own attorneys' fees and costs.  
28

1 DATED: 9/7, 2009

By: 

Tom Dutton

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Attorney for Plaintiff

6 DATED: Sept. 28, 2009

By: 

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*Defendants' Liaison Counsel*

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

17 Dated: 9/30/09

