

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING AND SALES PRACTICES
AND PRODUCT LIABILITY
LITIGATION

MDL Docket No. 1699

Judge Charles R. Breyer

This document relates to:

RANDY BERRY,

Case Specific Number: 07-0352

Plaintiff,

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

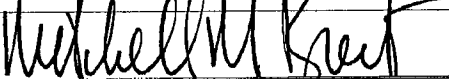
v.

PFIZER INC., PHARMACIA
CORPORATION, and G.D. SEARLE, LLC,

Defendants.

Come now the Plaintiff, RANDY BERRY, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

Dated: February 10, 2009

	/s/
Mitchell M. Breit, Esq. Whatley Drake & Kallas, LLC 1540 Broadway, Floor 37 New York, NY 10036 Telephone: (212) 447-7070 Facsimile: (212) 447-7077 Counsel for Plaintiff	Loren H. Brown, Esq. DLA PIPER US LLP 1251 Avenue of the Americas New York, NY 10020 Telephone: (212) 335-4500 Facsimile: (212) 335-4501 Counsel for Defendants

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

Dated: April 23, 2009

Hon. Charles R. Breyer
United States District Court

