

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

(SAN FRANCISCO DIVISION)

In re: Bextra and Celebrex Marketing Sales
Practices and Product Liability Litigation

MDL No. 1699

District Judge: Charles R. Breyer
Magistrate:

ORAO TOLER, individually,

Plaintiff,

v.

PFIZER, INC., PHARMACIA CORP., and
G.D. SEARLE & CO.,

Defendants.

Case No. 07-0473 CRB

**NOTICE OF DISMISSAL WITH
PREJUDICE**

PLAINTIFF'S VOLUNTARY DISMISSAL WITH PREJUDICE & PROPOSED ORDER

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

Dated: December 12, 2008

Respectfully submitted,



By: _____

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Attorneys for Plaintiff

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ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER having come before this Court on the Plaintiff's Notice of Dismissal of Dismissal, pursuant to Federal Rule of Civil Procedure 41(a), it is hereby ORDERED AND ADJUDGED:

This matter is dismissed *with* prejudice with each side bearing its own attorneys' fees and costs.

DONE AND ORDERED this 12th day of December, 2008, in San Francisco, California.

Conformed copies to:
B. Kristian W. Rasmussen, Esquire
Stuart M. Gordon, Esquire

