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7 Attorneys for Plaintiffs,

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

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

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Case No. 3:07-cv-01496-CRB

MDL NO. 1699  
District Judge: Charles R. Breyer

13 KATHLEEN PEPE, Individually and as  
14 Administrator of the Estate of DONALD  
15 PEPE,

STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE

16 Plaintiffs,

17 vs.

18 Pfizer Inc., et al.

19 Defendants.  

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20 Come now the Plaintiff, KATHLEEN PEPE, Individually and as Administrator of the  
21 Estate of DONALD PEPE, and Defendants, by and through the undersigned attorneys, pursuant  
22 to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this  
23 action **with prejudice** with each side bearing its own attorneys' fees and costs.  
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DATED: November 9, 2009

AUDET & PARTNERS, LLP



By: \_\_\_\_\_  
Counsel's Name  
Attorneys for Plaintiff, Donald Pepe

DATED: Dec. 22, 2009

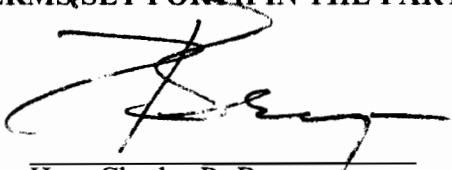
DLA PIPER LLP (US)



By: \_\_\_\_\_  
Michelle W. Sadowsky  
Attorneys for Defendants

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

Dated: JAN - 4 2010



Hon. Charles R. Breyer  
United States District Court