

1 REICH & BINSTOCK, LLP
2 4265 SAN FELIPE, SUITE 1000
3 HOUSTON, TX 77027
4 Dennis J. Reich, TX Bar No. 16739600
5 Robert J. Binstock, TX Bar No. 02328350
6 Debbie L. Ziegler, TX Bar No. 12219200
7 Telephone: (713) 622-7271
8 Facsimile: (713) 623-8724

9 Attorneys for Plaintiffs, SHARON SMITH and AL SMITH

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12
13 _____) **Case No. C-07-1755 CRB**
14 IN RE: BEXTRA AND CELEBREX)
15 MARKETING SALES PRACTICES AND) **MDL NO. 1699**
16 PRODUCT LIABILITY LITIGATION) **District Judge: Charles R. Breyer**
17 _____)
18 SHARON SMITH, individually, and AL)
19 SMITH, spouse,)
20) **STIPULATION AND ORDER OF**
21) **DISMISSAL WITH PREJUDICE**
22 Plaintiffs,)
23 vs.)
24 PFIZER, INC., PHARMACIA)
25 CORPORATION, AND G.D. SEARLE LLC,)
26 (FKA G.D. SEARLE & CO.),)
27 Defendants.)

28
29 Come now the Plaintiffs, Sharon Smith and Al Smith, and Defendants, by and through the
30 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
31 stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys'
32 fees and costs.

DISMISSAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: August 31, 2009

REICH & BINSTOCK, LLP

By: 

Dennis J. Reich, TX Bar No. 16739600
Robert J. Binstock, TX Bar No. 02328350
Debbie L. Ziegler, TX Bar No. 12219200
4265 San Felipe Blvd, Suite 1000
Houston, Texas 77027
Telephone: (713) 622-7271
Facsimile: (713) 623-8724

Attorneys for Plaintiffs

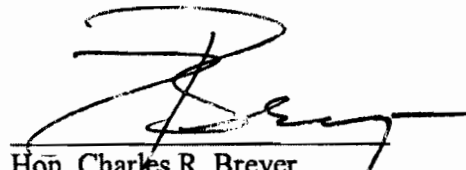
DATED: Oct. 22, 2009

DLA PIPER LLP (US)

By: /s/
Matt Holian
Attorneys for Defendants

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

Dated OCT 28 2009


Hon. Charles R. Breyer
United States District Court

DISMISSAL