

the entry of PTO 24, a myocardial infarction, ischemic stroke, or a death (“cardiovascular event”) as defined by PTO 18C; and

WHEREAS, the above-captioned Plaintiff (“Plaintiff”) asserts that he or she has not claimed, and will not in the future claim, to have suffered, prior to the date of the entry of PTO 24, a cardiovascular event as defined by PTO 18C; and

WHEREAS, Plaintiff agrees that he or she will not re-file any suit based on any similar claims related to Vioxx against Merck, any of its subsidiaries, agents, distributors, employees, sales representatives, or against any pharmacy in any other court or forum or amend his or her current Complaint to allege that he or she suffered prior to the date of entry of PTO 24 a cardiovascular event as defined by PTO 18C;

NOW, THEREFORE, IT IS HEREBY STIPULATED and AGREED by and between the undersigned parties that:

1. Plaintiff has not claimed and will not claim in the future that he or she suffered, prior to the date of the entry of PTO 24, a cardiovascular event as defined by PTO 18C.

2. Plaintiff will not re-file any suit based on any similar claims related to Vioxx against Merck, any of its subsidiaries, agents, distributors, employees, sales representatives, or against any pharmacy in any other court or forum or amend his or her current Complaint to allege that he or she suffered prior to the date of entry of PTO 24, a cardiovascular event as defined by PTO 18C.

Dated: _____, 2007.

[For Plaintiff Represented by Counsel]
FIRM

STONE PIGMAN WALTHER WITTMANN
LLC

By: _____
Attorney
Address

Attorneys for Plaintiff

By: _____
Phillip A. Wittmann
546 Carondelet St.
New Orleans, LA 70130

*Attorneys for Defendant,
Merck & Co., Inc.*

[For Pro Se Plaintiff]
PLAINTIFF NAME

Sign: _____
Plaintiff Name
Address

Considering the above, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the above referenced plaintiff is barred from claiming to have suffered, prior to the date of the entry of PTO 24, a cardiovascular event as defined by PTO 18C pursuant to the terms of the stipulation set forth above, without cost as to any party as against the other.

IT IS SO ORDERED.

ENTERED this _____ day of _____, 2007.

Hon. Eldon Fallon, U.S.D.J.