

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

In re: VIOXX) **MDL NO. 1657**
)
PRODUCTS LIABILITY)
LITIGATION) **SECTION: L**
)
THIS DOCUMENT RELATES TO) **JUDGE FALLON**
ALL CASES) **MAG. JUDGE KNOWLES**

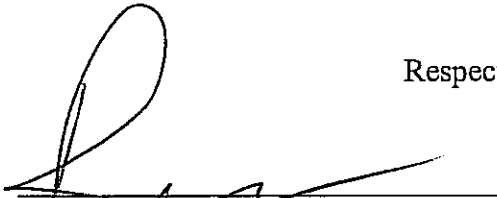
NOTICE OF AMENDMENT TO TOLLING AGREEMENT

Plaintiffs' Liaison Counsel (PLC) and Defendants' Liaison Counsel hereby jointly give notice that the respective parties have amended the Tolling Agreement (attached to the "Notice of Filing of Tolling Agreement" filed June 9, 2005), effective immediately, to establish a deadline for the submission of claims under the Tolling Agreement. Paragraph 11 of the Agreement has been amended to read as follows:

"11. Plaintiffs Steering Committee and Merck agree that the deadline for the submission of claims under the Tolling Agreement for the purposes of tolling the relevant statute of limitations or prescription periods shall be April 9, 2007 (the "Cut-Off Date"). No further requests for tolling shall be accepted under the Tolling Agreement beyond the Cut-Off Date and any submission beyond that date shall have absolutely no effect on tolling or interrupting the limitations or prescription period. Nothing in this paragraph 11 shall be construed to affect the status of any

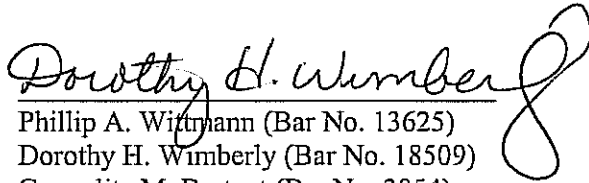
Claimant for whom this agreement's Effective Date (as defined in paragraph 3, above) is on or before April 9, 2007."

Respectfully submitted,



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Defendants' Liaison Counsel

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing Notice of Amendment to Tolling Agreement has been served on Liaison Counsel, Russ Herman and Phillip Wittmann, by U.S. Mail and e-mail or by hand delivery and e-mail and upon all parties by electronically uploading the same to LexisNexis File & Serve Advanced in accordance with Pre-Trial Order No. 8B, and that the foregoing was electronically filed with the Clerk of Court of the United States District Court for the Eastern District of Louisiana by using the CM/ECF system which will send a Notice of Electronic Filing in accord with the procedures established in MDL 1657, on this 7~~th~~ day of March, 2007.

/s/ Dorothy H. Wimberly
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