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IN RE: VIOXX® LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY

CASE NO. 619

CIVIL ACTION
APPLICABLE TO ALL CASES

ORDER

*For Temporary
Stay*

THIS MATTER having been brought before the Court upon the application of Defendant Merck & Co., Inc. for an Order staying claims pending in Case No. 619 (“Plaintiff” or “Plaintiffs”) as of November 9, 2007, and for good cause shown,

IT IS on this 9th day of November 2007,

ORDERED as follows:

Having reviewed the Resolution Program agreement entered into by the PSC and Merck on November 9, 2007, the Court finds that with some exceptions, further activity in this coordinated proceeding should be stayed temporarily in order to give each eligible plaintiff, with the advice of counsel, sufficient time to determine whether it is in his or her best interest to participate in the Resolution Program, and to give counsel sufficient time to comprehend the

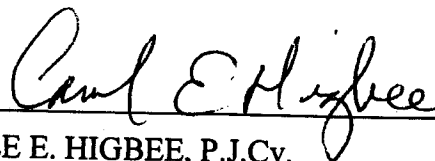
Resolution Program and advise their clients accordingly.

Accordingly, the Court hereby **ORDERS** as follows.

- All activities in this proceeding (including all activities in each case in which a plaintiff is eligible to participate in the Resolution Program) are hereby stayed pending further order of this Court, except as follows:
 - The stay shall not apply to cases currently pending in this proceeding that are not eligible for participation in the Resolution Program, but only to the extent that plaintiffs are required to engage in certain discovery and other pretrial activities by ~~Pretrial~~ ^{the} Order 5, entered by this Court on November 9, 2007.
 - The stay shall not apply to any cases in this proceeding (or that may be later transferred into this proceeding) filed on or after November 9, 2007, but only to the extent that plaintiffs are required to engage in certain discovery and other pretrial activities by ~~Pretrial~~ ^{the} Order 5, entered by this Court on November 9, 2007.
- At the appropriate time, the Court intends to issue a further order lifting this stay with respect to the eligible plaintiffs who decide not to participate in the Resolution Program. Further, the Court will consider motions to lift the stay with respect to

specific activities in this litigation upon good cause shown.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Carl E. Higbee", written over a horizontal line.

HON. CAROLE E. HIGBEE, P.J.Cv.

November 9, 2007