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FILED

SEP 19 2016

JUDGE JESSICA R. MAYER

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MIDDLESEX COUNTY**

BURNADYNE SMITH,

Plaintiff,

v.

MERCK SHARP & DOHME CORP.,

Defendant.

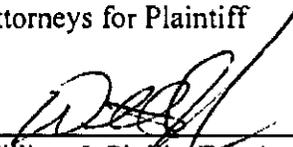
Docket No.: MID-L-9089-14

FOSAMAX® LITIGATION  
CASE CODE: 282

VOLUNTARY STIPULATION OF  
DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff in the above captioned case, Burnadyne Smith, and Defendant, Merck Sharp & Dohme Corp., through their respective undersigned counsel, that this case is hereby dismissed in its entirety, with prejudice Pursuant to R. 4:37-1(a). Each party is to bear its own costs and attorneys' fees.

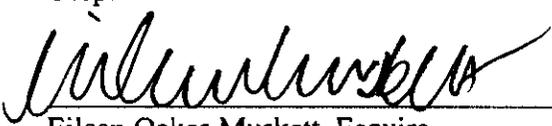
**PINILISHALPERN, LLP**  
Attorneys for Plaintiff

  
William J. Pinellis, Esquire  
Dated: 9/14/16

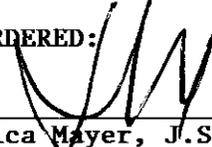
**MATTHEWS & ASSOCIATES**  
Attorneys for Plaintiff

  
David P. Matthews, Esquire  
Dated: 8-23-16

**FOX ROTHSCHILD LLP**  
Attorneys for Defendant, Merck Sharp & Dohme Corp.

  
Eileen Oakes Muskett, Esquire  
Dated: 9/16/16

SO ORDERED:

  
Jessica Mayer, J.S.C.