Eileen Oakes Muskett, Esquire Fox Rothschild, LLP Midtown Building, Suite 400 1301 Atlantic Avenue Atlantic City, New Jersey 08401 Phone: 609-348-4515

GECEIVED & FILED
2015 JUN - 2 A 11: 45
1041 JUN - 2 A 11: 45

Attorney for Defendant Merck Sharp & Dohme Corp.

EUNICE BENTLEY,

Plaintiff.

VS.

MERCK SHARP & DOHME CORP., et al.,

Defendants

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY

FOSAMAX LITIGATION Case No. 282

DOCKET NO.: L-7151-14

PARTIAL STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE (AS TO JAW INJURY CLAIMS ONLY)

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff in the above-captioned case, Eunice Bentley, and the above-named Defendant, Merck Sharp & Dohme Corp. (formerly known as Merck & Co., Inc.) ("Merck"), through their respective undersigned counsel, that each and every claim in Plaintiff's Complaint regarding allegations of osteonecrosis of the jaw and each and every claim of Plaintiff relating to jaw or dential injuries, against Defendant Merck are hereby dismissed with prejudice. Each party is to bear its own costs and attorneys' fees.

Plaintiff's jaw related claims against Defendant Teva Pharmacauticals USA Inc. is not dismissed by this Stipulation of Dismissal and remains pending. All remaining claims related to femur fractures remain pending.

THE LEVENSTEN LAW FIRM

Scott D. Levenstein, Esq.
Michael W. Johnston, Esq.
The Levensten Law Firm
1420 Walnut Street, Suite 1500
Philadelphia, PA 19102

and

Timothy M. O'Brien, Esq.
Brandon L. Bogle, Esq.
Levin, Papantonio, Thomas, Mitchell,
Rafferty & Proctor, P.A.
316 South Baylen Street, Suite 60
Pensacola, FL 32591

Attorneys for Plaintiff

GOODWIN PROCTOR LLC

Kate D. Seib
The New York Times Building
620 Eighth Avenue
New York, NY 10018
(212) 813-8800

Attorneys for Teva Pharmaceuticals, USA, Inc., Barr Pharmaceuticals, Inc. and Barr Laboratories, Inc.

SO ORDERED.

Dated: U/3/16

FOX ROTHSCHILD, LLP

By:
Eileen Oakes Muskett, Esq.
Fox Rothschild, LLP
Midtown Building, Suite 400
1301 Atlantic Avenue
Atlantic City, New Jersey 08401
Phone: 609-348-4515

Attorney for Defendant Merck Sharp & Dohme Corp.

Hon Jessica Mayer