

ME

**WEITZ & LUXENBERG**  
A New York Professional Corporation  
200 Lake Drive East, #205  
Cherry Hill, NJ 08002  
Tel. (856) 755-1115

**FILED**  
DEC 09 2019

**SUPERIOR COURT OF NEW JERSEY** Judge James F. Hyland  
**LAW DIVISION - MIDDLESEX COUNTY**

CAROL A. BIRKETT and WILLIAM D.  
BIRKETT, SR.,

:  
: DOCKET NO. MID-L-011018-14  
: (MT)

Plaintiffs,

:  
: **FOSAMAX LITIGATION**  
: **CASE CODE: 282**

v.

MERCK SHARP & DOHME CORP.

:  
: **STIPULATION OF DISMISSAL**  
: **WITH PREJUDICE**

Defendants.

:

Pursuant to N.J. Ct. R. 4:37-1(a), the undersigned counsel hereby stipulate that Plaintiff's Complaint and all claims of Plaintiffs, Carol A. Birkett and William D. Birkett, Sr., against Defendant, Merck Sharp & Dohme Corp., be dismissed in their entirety with prejudice, each party to bear its own costs.

**WEITZ & LUXENBERG**  
Attorneys for Plaintiffs

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

By:   
Brendan McDonough, Esq.

By:   
Eileen Oakes Muskett, Esq.

Date: 11/4/2019

Date: 11/8/19

**SO ORDERED:**

 12/9/19  
**James F. Hyland, J.S.C.**

A COPY OF THIS ORDER SHALL BE POSTED ONLINE BY THE COURT