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JUDGE JESSICA R. MAYER

BETTY PERRY,

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY

Plaintiff,

FOSAMAX LITIGATION

Case No. 282

vs.

Case 140. 282

MERCK SHARP & DOHME CORP., et al.,

DOCKET NO.: L-8330-14

Defendants

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff in the above-captioned case, Betty Perry, and the above-named Defendant, Merck Sharp & Dohme Corp. (formerly known as Merck & Co., Inc.) ("Merck"), through their respective undersigned counsel, that all of Plaintiff's claims against Merck are hereby dismissed with prejudice. Each party is to bear its own costs and attorneys' fees.

Plaintiff's claims against Defendants Watson Pharmaceuticals, Inc. and Watson Laboratories, Inc. are not dismissed by this Stipulation of Dismissal and 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

SO ORDERED.

Dated:

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Hon. Jessica Mayer