

MEMO ENDORSED

IN RE: FOSAMAX PRODUCTS)
LIABILITY LITIGATION)

This document Relates to:)

Gerald Debacco and June Debacco)
v. Merk & Co., Inc.)
Case No.: 1:10-cv-01289-JFK)

MDL NO. 1789

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6-19-2013
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1:06-md-1789 (JFK)

MOTION TO WITHDRAW AS COUNSEL

COMES NOW Counsel for the Plaintiffs Gerald and June Debacco, and hereby files this Motion to Withdraw as Counsel and states the following in support thereof:

1. Currently irreconcilable differences have arisen between Plaintiffs' Counsel and Plaintiffs. As such, Plaintiffs' Counsel is no longer in a position to pursue this cause of action on behalf of the Plaintiffs. However, Plaintiffs wish to pursue this case.
2. Currently a Plaintiff Profile Form has been furnished to opposing Counsel with medical records as well as a statement from the Plaintiffs pursuant to this Court's Lone Pine Order affirming that they wish to pursue this matter even if the case is remanded.
3. A copy of this motion is being furnished to Plaintiffs via Certified Mail, Return Receipt Requested, to their last known address of 9215 N Boxthorn Terrace, Crystal River, FL 34428.
4. Accordingly, Plaintiffs' Counsel requests that they be allowed to withdraw as Counsel in this matter and further requests that this Honorable Court allow the Plaintiffs sixty (60) days in which to obtain new Counsel. It is further respectfully requested that the Court refrain from ruling upon any motions during

this sixty (60) day period. No party will suffer any prejudice or harm if the Plaintiffs are given 60 days to obtain new Counsel.

WHEREFORE, Plaintiffs' Counsel respectfully requests that this Honorable Court enter an Order granting this Motion to Withdraw as Counsel and allow the Plaintiffs an additional sixty (60) days to obtain new Counsel.

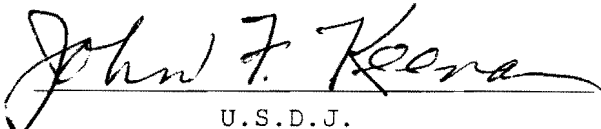
Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed on this 15th day of May, 2013, using the CM/ECF system which will automatically send a notice of filing to Counsel for Defendant, Merck Sharp & Dohme Corp. A true and correct copy of this motion was also furnished to Gerald and June Debacco via Certified Mail, Return Receipt Requested, to their last known address of 9215 N Boxthorn Terrace, Crystal River, FL 34428.

The application is granted. The deadline for Plaintiff to obtain new counsel is August 13, 2013.
SO ORDERED.

Dated: New York, N.Y.
June 19, 2013

/s/ Maria D. Tejedor
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U.S.D.J.