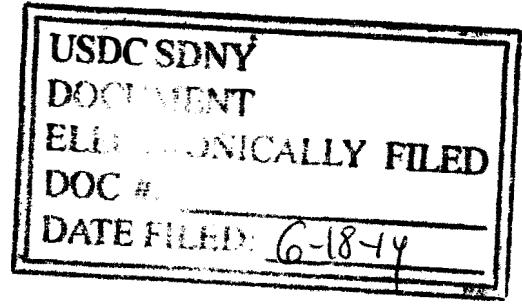


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

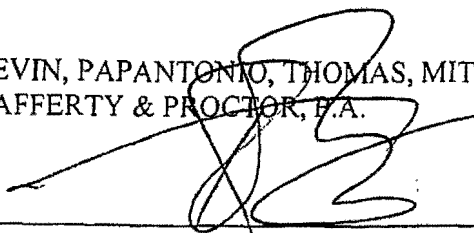
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IN RE: :
Fosamax Products Liability Litigation : 1:06-md-1789 (JFK)
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This Document Relates to: :
Shirley Boles :
v. :
Merck & Co., Inc. :
:
Case No: 1:06-cv-09455-JFK :
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STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff in the above-captioned case, Shirley Boles, and the above-named Defendant, Merck Sharp & Dohme Corp. (formerly known as Merck & Co., Inc.) ("Merck"), through their respective undersigned counsel, that this case is hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a). Each party is to bear its own costs and attorneys' fees. The Court retains jurisdiction of this matter for the express purpose of (1) enforcing the terms of the parties' Settlement Agreement dated March 24, 2014, and (2) hearing any remanded proceedings pursuant to the appeal filed in the Second Circuit Court of Appeals by Gary J. Douglas, Esq, of the Opinion and Order entered by this Court on October 4, 2010 (Doc. 297).

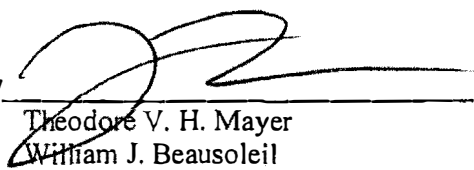
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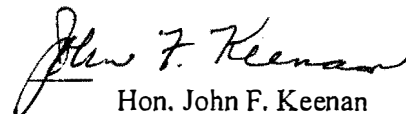
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*Attorneys for Defendant Merck Sharp &
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SO ORDERED.

Dated: 6/18/14


Hon. John F. Keenan

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