

Michael Dore
LOWENSTEIN SANDLER LLP
65 Livingston Avenue
Roseland, New Jersey 07068
(973) 597-2500
NJ License No. 034581980

*Attorneys for Defendants Warner Chilcott (US), LLC, as
Successor in interest to Procter & Gamble Pharmaceuticals
Inc., sanofi-aventis U.S. L.L.C., and Sanofi US Services Inc.*

FILED
SEP 30 2015
JUDGE JESSICA R. MAYER

BARBARA SMITH,

Plaintiff,

vs.

**MERCK SHARP & DOHME CORP.;
SANOFI-AVENTIS, U.S., INC.; SANOFI-
AVENTIS, U.S., LLC; WARNER
CHILCOTT PHARMACEUTICALS, INC.;
and PROCTER & GAMBLE
PHARMACEUTICALS, INC.**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
Fosamax Litigation (Case No. 282)**

DOCKET NO.: MID-L-8588-14

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Barbara Smith ("Plaintiff") and Defendant Warner Chilcott (US), LLC ("Warner Chilcott"), through their respective undersigned counsel, that all of Plaintiff's claims against sanofi-aventis U.S., Inc., sanofi-aventis U.S. L.L.C.¹, Warner Chilcott Pharmaceuticals, Inc., and Procter & Gamble Pharmaceuticals, Inc.² are hereby dismissed with prejudice pursuant to Rule 4:37-1(a) of the New Jersey Rules of Court. Each party will bear its own costs and fees.

¹ sanofi-aventis U.S. L.L.C. is the successor in interest to Aventis Pharmaceuticals, Inc. sanofi-aventis U.S. L.L.C. co-promoted Actonel® with Procter & Gamble Pharmaceuticals, Inc. until October 30, 2009, after which it co-promoted Actonel® with Warner Chilcott Pharmaceuticals Inc. until April 1, 2010. On April 1, 2010, sanofi-aventis U.S. L.L.C. ceased its co-promotion of Actonel®, and Warner-Chilcott Pharmaceuticals Inc. assumed full responsibility for the promotion of Actonel®.

² On February 1, 2010, Procter & Gamble Pharmaceuticals, Inc. became known as Warner Chilcott Pharmaceuticals Inc. In connection with that name change, Warner Chilcott Pharmaceuticals Inc. served as the successor in interest

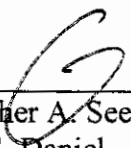
Plaintiff's claims against Defendant Merck & Co., Inc. are not dismissed by this

Stipulation of Dismissal and remain pending.

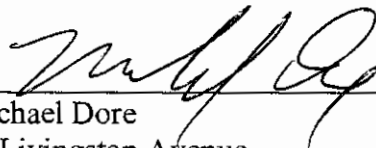
SEEGER WEISS LLP
Attorneys for Plaintiffs

LOWENSTEIN SANDLER LLP
Attorneys for Defendants Warner Chilcott (US), LLC, sanofi-aventis U.S. L.L.C., and Sanofi US Services Inc.

By: _____


Christopher A. Seeger
Sindhu S. Daniel
550 Broad Street, Suite 920
Newark, NJ 07102
Tel. (973) 639-9100

By: _____


Michael Dore
65 Livingston Avenue
Roseland, NJ 07068
Tel. (973) 597-2500

Lana K. Varney
Norton Rose Fulbright US LLP
98 San Jacinto Blvd., Suite 100
Austin, TX 78701
Tel. (512) 474-5201

Dated: JULY 17, 2015

Dated: 8/28/15

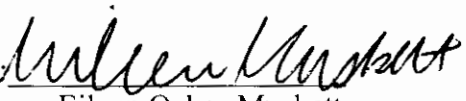
HUGHES HUBBARD & REED LLP
Attorneys for Defendant Merck Sharp & Dohme, Corp.

By: _____

Wilfred Coronato
Stephen Lanza
101 Hudson Street, Suite 3601
Jersey City, NJ 07302

Dated: _____

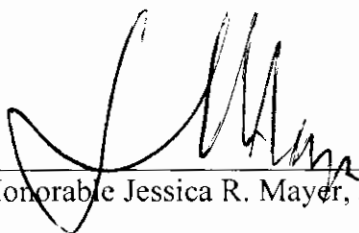
to Procter & Gamble Pharmaceuticals, Inc. Effective as of January 1, 2011, Warner Chilcott Pharmaceuticals Inc. was merged into Warner Chilcott (US), LLC, and no longer exists as a distinct entity. In connection with this transaction, Warner Chilcott (US), LLC now serves as the successor in interest to Procter & Gamble Pharmaceuticals, Inc.

By: 

Eileen Oakes Muskett
Fox Rothschild LLP
Midtown Building
1301 Atlantic Avenue
Suite 400
Atlantic City, NJ 08401

*Attorneys for Defendant
Merck Sharp & Dohme, Corp.*

SO ORDERED:

 9/3/15

Honorable Jessica R. Mayer, J.S.C.

DATED: _____, 2015