

Eileen Oakes Muskett, Esquire  
Attorney ID 020731994  
Fox Rothschild LLP  
Midtown Building, Suite 400  
1301 Atlantic Avenue  
Atlantic City, New Jersey 08401  
Attorney for Defendant Merck Sharp & Dohme Corp.

**FILED**

MAY 24 2017

Judge James F. Hyland

RECEIVED & FILED

2017 MAY 22 P 12:05

MASS TORT CIVIL DIV  
MIDDLESEX VICINAGE

Marlene Smith,

Plaintiff

vs.

Merck Sharp & Dohme Corp.

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

FOSAMAX LITIGATION Case 282


DOCKET NO. MID-L-9136-14


**VOLUNTARY STIPULATION  
OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff in the above captioned case, Marlene Smith, and Defendant, Merck Sharp & Dohme Corp., through their respective undersigned counsel, that this case is hereby dismissed in its entirety, with prejudice Pursuant to R. 4:37-1(a). Each party is to bear its own costs and attorneys' fees.

**SEEGER WEISS LLP**  
Attorneys for Plaintiff

**FOX ROTHSCHILD LLP**  
Attorneys for Defendant

  
\_\_\_\_\_  
Christopher A. Seeger, Esquire  
Dated: 5/17/17

  
\_\_\_\_\_  
Eileen Oakes Muskett, Esquire  
Dated: 5/19/17

**SO ORDERED:**

  
\_\_\_\_\_  
James F. Hyland, J.S.C.

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