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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

_____	)	
MERCK & CO., INC., and	)	
MERCK SHARP & DOHME CORP.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 2:09-cv-06026-SRC-PS
	)	
TEVA PARENTERAL MEDICINES, INC., and	)	
TEVA PHARMACEUTICALS USA, INC.,	)	
	)	
Defendants.	)	
_____	)	

**STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, the parties Merck & Co., Inc., Merck Sharp & Dohme Corp., Teva Parenteral Medicines, Inc., and Teva Pharmaceuticals USA, Inc., by and through their undersigned counsel, do hereby stipulate and agree as follows:

1. All claims and counterclaims, defenses, motions, and petitions asserted in this action are dismissed without prejudice; and
2. Each party shall bear its own costs and attorneys fees with respect to the matters dismissed hereby.

s/ Sheila F. McShane

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Sheila F. McShane  
GIBBONS P.C.  
One Gateway Center  
Newark, NJ 07102  
(973) 596-4500  
(973) 596-0545 (fax)  
smcshane@gibbonslaw.com

*Attorneys for Plaintiffs Merck & Co., Inc.  
and Merck Sharp & Dohme Corp.*

Of Counsel:

Dominick A. Conde  
Brian V. Slater  
FITZPATRICK, CELLA, HARPER &  
SCINTO  
1290 Avenue of the Americas  
New York, NY 10104  
(212) 218-2100  
(212) 218-2200 (fax)  
dconde@fchs.com  
bslater@fchs.com

Dated: February 23, 2011

s/ Michael E. Patunas

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Allyn Z. Lite  
Michael E. Patunas  
Mayra V. Tarantino  
LITE DEPALMA GREENBERG, LLC  
Two Gateway Center, 12th Floor  
Newark, NJ 07102  
(973) 623-3000  
(973) 623-0858 (fax)  
alite@litedepalma.com  
mpatunas@litedepalma.com  
mtarantino@litedepalma.com


*Attorneys for Defendants Teva Parenteral  
Medicines, Inc., and Teva Pharmaceuticals  
USA, Inc.*

Of Counsel:

Annemarie Hassett  
Eric H. Yecies  
GOODWIN PROCTER LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018  
(212) 813-8800  
(212) 355-3333 (fax)  
ahassett@goodwinprocter.com  
eyecies@goodwinprocter.com

Dated: February 23, 2011

SO ORDERED, this 28<sup>th</sup> day of February, 2011.

  
\_\_\_\_\_  
Hon. Stanley R. Chesler  
United States District Judge