



Statement

Media Contact: Kent Jarrell
(202) 230-1833

Investor Contact: Graeme Bell
(908) 423-5185

Plaintiff Requests Dismissal of California VIOXX® Product Liability Case Set for Trial This Week

WHITEHOUSE STATION, N.J., April 9, 2007 – A VIOXX product liability trial scheduled to begin this week in Los Angeles will not proceed because the plaintiff asked the Court to dismiss his suit with prejudice today.

In the case, Lowell Berwick v. Merck & Co., Inc., a California man claimed that VIOXX caused his heart attack. Mr. Berwick alleged he used VIOXX for approximately 10 months before suffering a heart attack, at age 61, in 2004. He claimed he continued taking the medicine for approximately another six months after his heart attack.

“We were prepared to proceed to trial and demonstrate that Merck acted responsibly,” said Ralph A. Campillo of Sedgwick, Detert, Moran & Arnold LLP, of Los Angeles, outside counsel for Merck. “We believe the evidence would have shown that VIOXX did not cause this heart attack and that Merck provided appropriate information about VIOXX to the medical, scientific and regulatory communities.”

Judge Victoria Chaney of the Superior Court of California, Los Angeles, was to have presided over the trial.

Merck was represented by Ralph A. Campillo of Sedgwick, Detert, Moran & Arnold LLP, of Los Angeles, Calif. and Mike Brock of Rushton, Stakely, Johnson & Garrett in Montgomery, Ala.

Status of Litigation

This would have been the fourth VIOXX case to go to trial in California. In August 2006, a jury found for Merck in the Grossberg case. In January 2007, the plaintiffs in two cases tried jointly – the Arrigale and Appell cases – failed to prove their claims, resulting in a hung jury and two declared mistrials.

As of Dec. 31, 2006, the claims related to more than 4,025 alleged VIOXX users have been dismissed before being scheduled for trial. Of those, more than 1,225 were dismissed with prejudice either by plaintiffs themselves or by judges, meaning they cannot be filed again. More than 2,800 plaintiffs have had their claims dismissed without prejudice.

Juries have found in favor of the Company 10 times and in favor of plaintiffs five times. There are two unresolved mistrials as a result of hung juries after plaintiffs failed to prove their claims. In addition to today's dismissal, another 14 cases scheduled for trial were either dismissed or withdrawn from the trial calendar by plaintiffs before a jury could be selected.

Merck is pursuing its options for post-trial relief and appellate review with respect to each of the plaintiffs' verdicts.

For information regarding additional cases scheduled for trial in 2007 visit <http://www.merck.com/newsroom/vioxx>.

About Merck

Merck & Co., Inc. is a global research-driven pharmaceutical company dedicated to putting patients first. Established in 1891, Merck currently discovers, develops, manufactures and markets vaccines and medicines to address unmet medical needs. The Company devotes extensive efforts to increase access to medicines through far-reaching programs that not only donate Merck medicines but help deliver them to the people who need them. Merck also publishes unbiased health information as a not-for-profit service. For more information, visit <http://www.merck.com>.

Forward-Looking Statement

This press release contains "forward-looking statements" as that term is defined in the Private Securities Litigation Reform Act of 1995. These statements are based on management's current expectations and involve risks and uncertainties, which may cause results to differ materially from those set forth in the statements. The forward-looking statements may include statements regarding product development, product potential or financial performance. No forward-looking statement can be guaranteed, and actual results may differ materially from those projected. Merck undertakes no obligation to publicly update any forward-looking statement, whether as a result of new information, future events, or otherwise. Forward-looking statements in this press release should be evaluated together with the many uncertainties that affect Merck's business, particularly those mentioned in the cautionary statements in Item 1A of Merck's Form 10-K for the year ended Dec. 31, 2006, and in its periodic reports on Form 10-Q and Form 8-K, which the Company incorporates by reference.