

EXHIBIT 2.2.1.3
PROXIMITY GATE CRITERIA

Program Claimants must produce evidence that the Product User ingested Vioxx within 14 days of the Eligible Event. This requisite proximity of usage may be established by producing evidence (in accordance with Exhibit 2.2.2) of one of the following:

- (a) at least **30 pills** dispensed in the **56 days** immediately preceding the Eligible Event;
- (b) at least **90 pills** dispensed in the **140 days** immediately preceding the Eligible Event;
- (c) at least **120 pills** dispensed in the **180 days** immediately preceding the Eligible Event;
- (d) at least **250 pills** dispensed during the **12 months** immediately preceding the Eligible Event; or
- (e) a notation in the contemporaneous Event Records identifying Vioxx as a current medication on the date of the Eligible Event, provided that there is contemporaneous evidence that Product User received Vioxx pills within ninety (90) days of the Eligible Event. In the event that a contemporaneous blood test was conducted that would show the presence of Vioxx in the Product User's bloodstream and the results of the test indicate that Vioxx was not found in the blood, the requisite proximity of usage will not have been established.