



Statement

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**VIOXX® Trial Update:
Statement on VIOXX Product Liability Trial in New Orleans**

WHITEHOUSE STATION, N.J., Nov. 27, 2006 – Merck & Co., Inc. is conducting a vigorous defense in the product liability lawsuit, *Dedrick v. Merck*, which is scheduled to go to trial before a jury on November 27, 2006, in the U.S. District Court for the Eastern District of Louisiana. The Company believes the evidence will show that VIOXX did not cause Anthony Wayne Dedrick's non-fatal heart attack in 2003 and that Merck provided appropriate information about VIOXX to the medical, scientific and regulatory communities.

"The evidence will show that Mr. Dedrick exhibited many risk factors for a heart attack, regardless of his use of VIOXX," said Ted Mayer of Hughes Hubbard & Reed, outside counsel for Merck. "He had a family history of cardiac problems, he smoked for many years and he had high blood pressure, high cholesterol and diabetes. In addition, he had significant atherosclerosis before he began taking VIOXX. Mr. Dedrick will be unable to meet his legal burden of proving through valid scientific evidence that VIOXX contributed to his heart attack."

U.S. District Court Judge Eldon E. Fallon, who is overseeing all of the federal court litigation, will preside over the case. This will be the fifth federal VIOXX trial; Merck has won three of the first four federal trials (and the damages award in the lone loss was overturned).

Merck won the first case, *Plunkett v. Merck*, in February. The damages portion of the verdict in favor of the plaintiff in the second federal case, *Barnett v. Merck*, was recently overturned by Judge Fallon. Merck won the third case, *Smith v. Merck*, in September and the fourth case, *Mason v. Merck*, earlier this month.

"We will continue to defend these cases individually," said Kenneth C. Frazier, executive vice president and general counsel of Merck. "Merck acted responsibly – from researching VIOXX prior to approval in clinical trials involving almost 10,000 patients – to monitoring the medicine while it was on the market – to voluntarily withdrawing the medicine when it did."

Beginning in 2000, as a result of a Company-sponsored study called VIGOR, Merck voluntarily proposed changes to the VIOXX label to incorporate additional information for patients and prescribers. In April 2002, the FDA approved a new label reflecting such information. Mr. Dedrick's alleged use of VIOXX – from July 2002 to April 2003 – took place after the Company had added the additional information.

Merck is represented by Philip Beck, Mark Ouweleen and Carrie Jablonski of Bartlit Beck Herman Palenchar & Scott LLP in Chicago. Mr. Beck has tried the previous four federal VIOXX cases.

Of the 16 cases that have been tried or scheduled for trial and are no longer pending, only four have resulted in a plaintiff's verdict. Juries have decided in Merck's favor in seven cases and five cases have been dismissed.

Another five cases, previously scheduled for trial, have been withdrawn from the trial calendar by the plaintiffs before the claims could reach trial.

As for the four plaintiff's verdicts, Merck already has filed an appeal or sought judicial review in each of those cases, and in one of those four, a federal judge overturned the damage award shortly after trial. Additionally, a state judge set aside one of the seven Merck verdicts.

Finally, the claims of more than 3,000 plaintiff groups, not yet scheduled for trial, have been dismissed. That includes more than 1,100 plaintiff groups whose claims were dismissed with prejudice either by plaintiffs themselves or by the courts, meaning they cannot be filed again. More than 2,000 additional plaintiff groups have had their claims dismissed without prejudice.

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 www.merck.com.

Forward-Looking Statement

This statement 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 statement should be evaluated together with the many uncertainties that affect Merck’s business, particularly those mentioned in the cautionary statements in Item 1 of Merck’s Form 10-K for the year ended Dec. 31, 2005, and in its periodic reports on Form 10-Q and Form 8-K, which the Company incorporates by reference.

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