



Statement

Media Contact: Casey Stavropoulos
(202) 247-0705

Investor Contact: Graeme Bell
(908) 423-5185

Federal Court in New Orleans Dismisses Additional Nine VIOXX® Class Action Claims

Judge Dismisses Class Action Claims from England, South Africa, Poland, the Netherlands, Israel, Germany, Australia, New Zealand, and Canada

WHITEHOUSE STATION, N.J., Nov. 22, 2006 – Merck & Co., Inc. today said that a federal court in New Orleans has dismissed foreign class action claims previously brought by VIOXX users from nine countries.

Merck had requested dismissal arguing that the nine countries – England, South Africa, Poland, the Netherlands, Israel, Germany, Australia, New Zealand, and Canada -- have appropriate legal systems in which citizens may pursue their allegations and that those plaintiffs should not have their claims heard in the United States. The plaintiffs agreed to the dismissal provided the plaintiffs have an opportunity to file suit in their own countries.

The order dismissing the nine class action claims was issued Monday night by Judge Eldon Fallon of U.S. District in New Orleans.

The dismissal is consistent with an August decision by the same federal judge who ruled that it is not appropriate for plaintiffs from France and Italy to file claims in the United States courts because they have appropriate legal forums in their own countries.

“This is a proper ruling because it makes little sense to try these cases here in the United States when these individuals have perfectly appropriate judicial systems in their own home countries,” said Ted Mayer, Merck’s outside counsel with the law firm of Hughes Hubbard & Reed LLP.

“In fact, the foreign courts are more appropriate than those in the United States because the plaintiffs live there, they were prescribed the medicine there, they ingested it there, they were treated there, their medical records are there, and their physicians live there.”

In addition, the regulatory agencies overseas operate under their own regulatory rules, not those of the United States, and their regulatory regimes are different from those in the United States.

This order is appropriate because many U.S. courts have previously held that it would be inappropriate for a U.S. court – or, for that matter, a U.S. jury – to second-guess another country's regulatory judgment.

Last month, a state court in New Jersey dismissed 98 individual VIOXX cases previously filed in New Jersey by plaintiffs from the United Kingdom.

Litigation Status

Of the 16 cases scheduled for trial and 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.

#