



Statement

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**VIOXX® Trial Update:
Statement on VIOXX Product Liability Trial in Illinois Circuit Court, Madison County**

WHITEHOUSE STATION, N.J., Feb. 27, 2007 – Merck & Co., Inc. has begun a vigorous defense in a VIOXX product liability lawsuit, with jury selection continuing today in the Madison County Circuit Court in Edwardsville, Ill. The Company believes the evidence will show that VIOXX did not cause the death of Patricia Schwaller, as alleged by her husband Frank Schwaller, who is representing her estate.

In *Schwaller v. Merck*, Mr. Schwaller alleges that Mrs. Schwaller used VIOXX for approximately one-and-a-half years before passing away at age 52, in 2003.

“The evidence will show that Mrs. Schwaller had several risk factors for sudden cardiac death prior to her use of VIOXX,” said Ted Mayer of Hughes Hubbard & Reed LLP, outside counsel for Merck. “She had a family history of heart disease, as well as diabetes, high blood pressure and obesity. Merck will demonstrate that it acted responsibly in providing appropriate information about the benefits and risks of VIOXX to the medical and regulatory communities.”

Illinois Circuit Court Judge Daniel J. Stack will preside over the case. This is the first VIOXX case in Illinois to go to trial.

“We intend to address the VIOXX litigation on a case-by-case basis over many years,” 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 we did. Merck has always and will continue to put patients first.”

Merck is represented by Dan Ball and Stephen Strauss of Bryan Cave, LLP in St. Louis and Norman Kleinberg and James Fitzpatrick of Hughes Hubbard & Reed LLP in New York.

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Status of Litigation

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.

Of the 29 plaintiffs whose claims have been scheduled for trial, the claims of seven were dismissed, the claims of seven were withdrawn from the trial calendar by plaintiffs, and juries have decided in Merck's favor nine times and in plaintiffs' favor four times. There have been three mistrials (one of which has since been retried to a verdict in Merck's favor). A state judge set aside one of the nine Merck verdicts.

As for the four plaintiffs' 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 the trial.

Two cases are currently pending in the Superior Court of New Jersey, Atlantic County.

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 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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