



FOR IMMEDIATE RELEASE
THURSDAY, NOVEMBER 1, 2012
Contact: Patrick Stueve
Stueve Siegel Hanson LLP
(816) 714-7110
stueve@stuevesiegel.com

Don Downing
Gray Ritter & Graham PC
(314) 241-5620
ddowning@grgpc.com

Stueve Siegel Hanson and Gray Ritter & Graham Announce Nation's First Vioxx Consumer Fraud Class Action Settlement

Kansas City, MO - Stueve Siegel Hanson LLP (www.stuevesiegel.com) and Gray Ritter & Graham (www.grgpc.com) announce that they have reached a settlement in the nation's only certified consumer fraud class action lawsuit with Merck & Co. Inc. regarding Vioxx, the company's prescription pain reliever used for the treatment of certain arthritis conditions. The class action lawsuit involved claims alleging that Merck's promotion and sale of Vioxx constituted unlawful and unfair business practices under the Missouri Merchandising Practices Act.

The previously certified consumer class action, filed in 2004 in Jackson County, Missouri, sought \$220 million in damages for all Missouri residents who purchased Vioxx before it was removed from the market in September 2004.

Under the settlement terms, qualifying Missouri consumers of Vioxx may be reimbursed in full for their Vioxx purchases. "After eight years of hard fought litigation we are pleased that we have secured full relief for the class through this settlement," said co-lead counsel Patrick Stueve for the Missouri class.

The common fund settlement provides for payment to class members under two options: (1) a one-time cash payment of \$180 to Settlement Class Members who submit a valid claim form with a declaration under oath (but no documentary proof of payment required) and (2) \$90 for each month of Vioxx purchases supported by a declaration under oath with documentary proof of payment, such as a letter from the prescribing physician. "This settlement provides benefits that are as good as we could have achieved at trial if the jury had awarded the full amount of compensatory damages," said co-lead counsel Don Downing.

In addition to paying the claims of qualifying class members, the settlement requires Merck to pay for all costs associated with the notice and administration of the settlement as well as court-approved attorneys' fees and expenses incurred by the Class. Any amount awarded in attorneys' fees and expenses will not reduce the cash benefits paid to the Class. The settlement must be approved by the Jackson County Circuit Court before it becomes final and any payments can be made to qualifying class members.

The law firms of Stueve Siegel Hanson LLP, based in Kansas City and Gray, Ritter & Graham, P.C., based in St. Louis, were appointed by the Court to represent the previously certified class of Missouri Vioxx purchasers. A copy of the Settlement Agreement is available from the Court, or can be viewed at www.VioxxMOclass.com.