

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL  
PHILADELPHIA, PA

2008 FEB -8 A 8: 58

UNITED STATES OF AMERICA,  
ex rel. H. DEAN STEINKE,

STATE OF ILLINOIS, ex rel.  
H. Dean Steinke,

STATE OF CALIFORNIA, ex rel.  
H. Dean Steinke,

STATE OF FLORIDA, ex rel.  
H. Dean Steinke,

STATE OF TEXAS, ex rel.  
H. Dean Steinke,

STATE OF MASSACHUSETTS, ex rel.  
H. Dean Steinke,

STATE OF TENNESSEE, ex rel.  
H. Dean Steinke,

STATE OF DELAWARE, ex rel.  
H. Dean Steinke,

STATE OF NEVADA, ex rel.  
H. Dean Steinke,

STATE OF LOUISIANA, ex rel.  
H. Dean Steinke,

STATE OF HAWAII, ex rel.  
H. Dean Steinke,

DISTRICT OF COLUMBIA, ex rel.  
H. Dean Steinke,

STATE OF INDIANA, ex rel.  
H. Dean Steinke,

STATE OF NEW YORK, ex rel.  
H. Dean Steinke,

Plaintiffs,

Case No. 00-6158

**FILED UNDER SEAL**

**FILED**

FEB 7 2008

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ENTERED**

FEB 7 2008

**CLERK OF COURT**

v.  
MERCK & CO., INC.,  
Defendant.

**FILED**

FEB 07 2008

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

ORDER

The United States having intervened in this action, pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4), the Court rules as follows:

IT IS ORDERED that,

2/7/08 LHP

1. the relator's complaint, <sup>(The Third Amended Complaint)</sup> the Government's Notice of Intervention, and this Order be

unsealed;

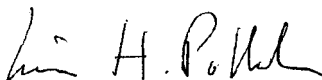
2. All other papers or Orders on file in this matter shall remain under seal; and

4. the seal shall be lifted on all matters occurring in this action on and after the date of

this Order.

IT IS SO ORDERED,

This 7 day of February, 2008.

  
\_\_\_\_\_  
Louis H. Pollak  
United States District Judge

2-7-08  
② cc: V. Parker, AUSA

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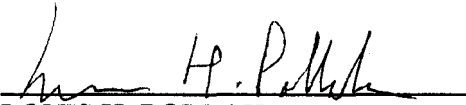
**ORDER**

AND NOW, this 7 day of February 2008, upon consideration of the Stipulation of Dismissal, it is hereby ORDERED THAT:

- (i) This action is dismissed with prejudice as to the relator; and
- (ii) Only the allegations and claims set forth in the Third Amended Complaint are dismissed with prejudice as to the United States and the plaintiff states; and
- (iii) The additional claims made by relator in this action are dismissed without prejudice as to the United States or the plaintiff states;
- (iv) These dismissals become effective only upon receipt of the Settlement Amount, plus interest, and relator's attorneys' fees and costs, as set forth in the attached Settlement Agreement; and

- (v) The Court shall retain jurisdiction to enforce the terms of the settlement agreement by and between the parties.

February 7, 2008

  
\_\_\_\_\_  
LOUIS H. POLLAK  
UNITED STATES DISTRICT COURT JUDGE

2-7-08

② cc: V. Parker, AUSA