

**FREQUENTLY ASKED QUESTIONS
VIOXX SETTLEMENT PROGRAM**

VII. EXTRAORDINARY INJURY PROGRAM

EI-1.	<p>Where are the rules for the EI Program? The rules for processing and evaluating EI claims are set forth in the Review Criteria Manual for the Vioxx Extraordinary Injury Program. You can navigate to this Manual by going to the Vioxx Claims Administrator Website at www.browngreer.com/vioxxsettlement and clicking on the Extraordinary Injury Program link on the left hand side of the screen. The Manual is also available on Primary Counsel’s secure Vioxx Portal by following the Extraordinary Injury Program link.</p>
EI-2.	<p>Where in the Settlement Agreement can I find the rules for the EI Program? The rules for processing and evaluating EI claims are not explicitly set forth in the Settlement Agreement. Instead, Section 4.2.7 of the Settlement Agreement provides that EI determinations “shall be made according to guidelines to be established by the Claims Administrator in consultation with Merck and the NPC” The guidelines established by the Claims Administrator pursuant to this authority are set forth in the Review Criteria Manual for the Vioxx Extraordinary Injury Program. You can navigate to this Manual by going to the Vioxx Claims Administrator Website at www.browngreer.com/vioxxsettlement and clicking on the Extraordinary Injury Program link on the left hand side of the screen. The Manual is also available on Primary Counsel’s secure Vioxx Portal by following the Extraordinary Injury Program link.</p>
EI-3.	<p>How do you determine the period for which a Claimant alleging Lost Wages/Income will be compensated? The LWI Past Measurement Period is the period of loss for which a claim for LWI will be calculated. The beginning of the LWI Past Measurement Period, the Start Date, is the <i>later</i> of the following: (a) the Claimant’s first Eligible Event; or (b) the period of loss Start Date identified on the EI Claim Form. The end of the LWI Past Measurement Period, the End Date, is <i>earlier</i> of the following: (a) 11/9/07 (the Settlement Agreement Execution Date); (b) the date the Claimant reaches Social Security Retirement Age (as determined by the Social Security Administration); (c) the period of loss End Date identified on the EI Claim Form; (d) the date of the Claimant’s unemployment or underemployment for any reason other than the Claimant’s Eligible Event; or (e) the date of the Claimant’s death, where the death is unrelated to the Claimant’s Eligible Event. If the calculated End Date of the LWI Measurement Period is before the Start Date (i.e., where a Claimant reaches Social Security Retirement Age prior to the Claimant's first Eligible Event) then there is no LWI Past Measurement Period for which a Past LWI Amount can be calculated. A Past LWI claim is unavailable for the Claimant in this situation.</p>
EI-4.	<p>Why are Lost Wages/Income not available for a Claimant who continues working past the Social Security Retirement Age? Lost Wages/Income must be limited to some objective date that can be easily identified for every Claimant. The most readily identifiable and objectively fair date for use in limiting LWI claims is the Social Security Retirement Age. The Claims Administrator chose the Social Security Retirement Age as the limit for LWI claims in an effort to achieve objective fairness in the EI Program. All guidelines for processing and evaluating EI claims are set forth in the Review Criteria Manual for the Vioxx Extraordinary Injury Program. You can navigate to this Manual by going to the Vioxx Claims Administrator Website at www.browngreer.com/vioxxsettlement and clicking on the Extraordinary Injury Program link on the left hand side of the screen. The Manual is also available on Primary Counsel’s secure Vioxx Portal by following the Extraordinary Injury Program link.</p>
EI-5.	<p>How do I withdraw a claim from the EI Program? Primary Counsel and Unrepresented Claimants can withdraw an EI claim at any time. To do so, send an email or letter to the Vioxx</p>

**FREQUENTLY ASKED QUESTIONS
VIOXX SETTLEMENT PROGRAM**

VII. EXTRAORDINARY INJURY PROGRAM

	<p>Claims Administrator identifying the Claimant’s first, middle and last names and VCN, and state: “This Claimant hereby withdraws any previously submitted EI claim and will not submit a claim for Extraordinary Injury Payments at any time.” The Claims Administrator will close that Claimant’s EI claim upon receipt of that email or letter and cannot re-open it later. Use one of the following addresses to send this notice of withdrawal:</p> <p><i>Email Address:</i> claimsadmin@browngreer.com</p> <p><i>Mailing Address:</i> Claims Administrator P.O. Box 85031 Richmond, Virginia 23285-5031</p> <p><i>Delivery Address and Alternate Mailing Address:</i> Claims Administrator 115 S. 15th Street, Suite 400 Richmond, Virginia 23219-4209</p>
EI-6.	<p>Will you accept Tax Return Transcripts and Wage & Income Transcripts from the IRS? Yes. If a required tax return or a W-2 form is unavailable, we will accept Tax Return Transcripts and Wage & Income Transcripts from the IRS. However, please note that Tax Return Transcripts are only available for the current year and for three prior years, which means that these transcripts may not be available for the years most relevant to the evaluation of Past Lost Wages/Income claims. In addition, be aware that a request for Wage & Income Transcripts may take up to 45 days to process.</p>
EI-7.	<p>Can you tell me why changes have been made to the EI Manual? We issued the Manual to be completely transparent in how the EI claims are being reviewed and assessed. In many programs, these specific criteria are never published. The Settlement Agreement requires the Claims Administrator to apply its discretion in developing the specifics of the EI Program. As the Manual has said since it was first issued in March 2009, it is subject to change as events evolve and we learn more about the claims received.</p>
EI-8.	<p>When will my EI Claim be paid? The Claims Administrator announced the projected date of payment of all eligible Extraordinary Injury (EI) claims on or about June 30, 2010. The Claims Administrator is not able to predict the exact date of these payments because there remain unresolved claims that must be finalized before payments can occur.</p>