

VIOXX SETTLEMENT PROGRAM CLAIMS ADMINISTRATION PROCEDURE			
Procedure Number	2008-5	Effective Date	June 12, 2008
Subject	Deceased Claimants: Procedures Where Death Occurs After Release or Other Documents Have Been Signed		

1. **Purpose of this Procedure.** This Procedure defines the actions to occur where a Claimant has signed a Release of All Claims, any other Enrollment Document, a Claim Form, or any other document requiring execution by the Claimant ("Document") before death, but dies from any cause before the processing of the Claim has been concluded in the Settlement Program either by final denial or withdrawal or payment.


2. **Definitions.** Any capitalized terms used in this Procedure and not expressly defined in this Procedure shall have the meanings given to them in the Settlement Agreement.

3. **Complete Documents.** If the Document is Complete under the Enrollment Documents Completeness Criteria or other applicable Completeness Criteria, or does not suffer from any Deficiency that requires re-execution of the Document by the Claimant, the Document shall be considered to be valid and binding and need not be re-executed by a Representative Claimant on behalf of the Claimant.

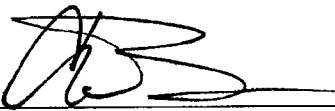
4. **Incomplete Documents.** If the Document suffers from any Deficiency that would require re-execution by the Claimant, the Representative Claimant pursuing the Claim must execute the replacement Document and satisfy the requirements of CAP 2008-1 and all other requirements applicable to the Claims of Deceased Claimants.

5. **Payment.** Before payment is made on any Claim where the Claimant is deceased before payment is made, the steps required at such time for payment on the Claim of a Deceased Claimant must be satisfied.


**APPROVED:**

By:  Date: 6/12/08  
Counsel for Merck

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By:  Date: 6/12/08  
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By:   
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Date: 6/12/08

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