



Press Release

Media Contact: Marlene Gauthier
514-726-3057 (cell)

Investor Contact: Graeme Bell
(908) 423-5185

Statement Regarding Dismissal of Personal Injury Class-Action Lawsuit

MONTREAL, Nov. 22, 2006 - A federal judge in New Orleans today issued an order denying a request by VIOXX® users to certify a personal injury class-action lawsuit. The order, issued by U.S. District Judge Eldon Fallon, means that VIOXX users who claim they were injured by the medicine must sue only on their own behalf and cannot purport to represent other alleged users. There are no longer any personal injury class-action suits pending in the United States in either federal court or state court.

"We are pleased by today's order because it reaffirms our view that every case is different and should be tried individually," said Ted Mayer of Hughes, Hubbard & Reed, Merck & Co., Inc., outside counsel. "Each plaintiff used the medicine for different lengths of time, took different doses, has a different medical history, and had a different prescribing doctor who made an individual medical judgment based on the information available to that doctor at a particular point in time."

Mr. Mayer added, "Today's order is consistent with the overwhelming majority of decisions by federal courts recognizing that lumping disparate personal injury suits into one case results in unfair trials because a jury needs to consider each plaintiff's circumstances separately. While some plaintiffs continue to pursue class-action suits involving economic and medical monitoring claims, we believe that those class actions should be similarly denied."

Litigation Status

Of the 16 cases scheduled for trial and no longer pending, only four have resulted in a plaintiff's verdict. Juries have decided in Merck & Co., Inc.'s, favor in seven cases and five cases have been dismissed.

Another five cases, previously scheduled for trial, have been withdrawn from the trial calendar by the plaintiffs before the claims could reach trial.

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As for the four plaintiff's verdicts, Merck & Co., Inc. 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 trial. Additionally, a state judge set aside one of the seven Merck & Co., Inc. verdicts.

Finally, the claims of more than 3,000 plaintiff groups, not yet scheduled for trial, have been dismissed. That includes more than 1,100 plaintiff groups whose claims were dismissed with prejudice either by plaintiffs themselves or by the courts, meaning they cannot be filed again. More than 2,000 additional plaintiff groups have had their claims dismissed without prejudice.

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 www.merck.com.

Forward-Looking Statement

This statement 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 statement 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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