

**FAX TRANSMISSION COVER PAGE**

DATE: November 20, 2009

FROM: **Jennifer Kracht**
Staff Attorney
53rd JUDICIAL DISTRICT COURT
Travis County Courthouse
Post Office Box 1748
Austin, Texas 78767
(512) 854-9397

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REMARKS:

*Please see the attached Order (Merck), which was filed with the clerk this afternoon. **Please forward to the other counsel of record in this case.***

Thank you.

FAX INFORMATION:

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NOV 20 2009 AB
At 2:40 P.M.
Amalia Rodriguez-Mendoza, Clerk

CAUSE NO. GV 503021

THE STATE OF TEXAS,

Plaintiff,

V.

MERCK & CO., INC.,

Defendant.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

345TH JUDICIAL DISTRICT

**ORDER ON DEFENDANT MERCK & CO., INC.'S
MOTION FOR SUMMARY JUDGMENT**

Came on for consideration Defendant Merck & Co., Inc.'s Motion for Summary Judgment, and the Court, after consideration of this motion, the pleadings, all responses, and arguments of counsel, is of the opinion that this motion should be and hereby is GRANTED. It is, therefore

ORDERED that Merck & Co., Inc.'s Motion for Summary Judgment is GRANTED. Accordingly, all claims made by Plaintiff against Merck & Co., Inc. are DISMISSED WITH PREJUDICE.

SIGNED this 20th day of November, 2009.


PRESIDING JUDGE