

Class Action Summary

**Merck Mumps Vaccine Class Action**

*This is not an official Court Notice.*

*Information contained in this Summary is subject to change. There is no monetary settlement at this time.*

If you or your business purchased Mumps Vaccines on or after **January 1, 1999**,  
an antitrust class action lawsuit alleging price fixing may affect you.

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**Eligible Class Members:** If certified, eligible Class Members are all persons or entities who or which, on or after January 1, 1999, purchased "Mumps Vaccine(s)" directly from Merck & Co., Inc. ("Merck" or "Defendant").

**Definition of "Mumps Vaccine(s)":** Mumps is a contagious viral disease characterized by fever, headache, muscle weakness, loss of appetite and swelling of one or more of the salivary glands (severe complications are rare but include inflammation of the brain and spinal cord, sterility and deafness). The Mumps Vaccine is exclusively supplied by Merck and includes M-M-R®II (incorporating vaccines for mumps, measles and rubella into a single injectable) and ProQuad (a multi-disease vaccine that includes vaccinations for mumps, measles, rubella and chicken pox in a single injection).

**Case History:** In January 2012, a class action lawsuit was filed in the Eastern District of Pennsylvania alleging the Defendant unlawfully monopolized the U.S. market for Mumps Vaccine by engaging in a decade-long scheme to falsify, misrepresent and conceal the efficacy of its vaccine. At this time, the litigation is ongoing. It is impossible to predict the outcome; however, it is possible that money may become available to eligible class members if a settlement is reached with the Defendants in the future.

If a monetary settlement is obtained, information about it will be available from Class Counsel. You also may visit the court approved website once one is established.

*Please understand that you have the right to file on your own if and when there is a monetary settlement.*

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**The Services FRS Provides:** Financial Recovery Strategies (FRS) is a class action settlement claims recovery consulting firm; we are not a court appointed claims administrator or class counsel. If you hire FRS and become an FRS client, we will work within your guidelines to manage the claims process. FRS will notify you when we believe that you may be eligible to participate in valuable settlements; we will take action to assure that all of your eligible business units (*e.g.*, subsidiaries, divisions, acquisitions and divestitures) are included in the claim process; to reduce the support needed from your in-house staff, we will provide advice on what, if any, documents need to be collected and maintained, and, when requested, we will assist in that effort; when required documents are not available or are too burdensome to collect, we will negotiate on your behalf to develop innovative alternatives to satisfy documentation requirements; we will prepare, assemble and submit your claim package, and manage it throughout the claims processing phase, including working with you to address any concerns or questions the claims administrator may have; we will provide regular updates on the recovery process; we will review your payment to assure that it has not been under calculated; and we will follow up with you to assure that your recovery check is deposited. FRS's recovery specialists are always available to answer any questions you may have.

**How to Retain FRS:** To retain FRS to file and manage a claim on your behalf, we must receive a signed copy of an Authorization Agreement. If you wish to hire us, it is important that, before you send the executed Authorization Agreement to our office, you understand its terms and make sure that your basic information at the top of the page is correct.