

Class Action Summary

**RotaTeq Vaccine Direct Purchaser**  
**Antitrust 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 RotaTeq on or after **April 25, 2014**,  
an antitrust class action lawsuit alleging price fixing may affect you.

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**Eligible Class Members:** If certified, eligible class members include all persons and entities in the United States and its territories who or which, from April 25, 2014 through the present, purchased “RotaTeq” (defined below) **directly** from Merck & Co., Inc. (“Merck” or the “Defendant”) or any of its divisions, subsidiaries, predecessors or affiliates. Excluded from the class are all governmental entities, Merck and its divisions, subsidiaries, predecessors, and any purchases by entities buying RotaTeq pursuant to a publicly-negotiated price.

**Definition of “RotaTeq”:** RotaTeq is Merck’s trade name for their rotavirus vaccine. Rotavirus is the leading cause of severe acute gastroenteritis (vomiting and severe diarrhea) among infants and children worldwide.

**Case History:** A class action was filed in 2018 in the Eastern District of Pennsylvania alleging the Defendant leveraged its monopoly power in multiple pediatric vaccine markets to preserve its monopoly power in the rotavirus vaccine market, thereby charging supracompetitive prices to purchasers of RotaTeq in violation of U.S. federal antitrust laws. The litigation is ongoing at this time. It is impossible to predict the outcome; however, it is possible that money may become available to eligible class members if the class is certified and a settlement is reached with Merck in the future.

**Class Counsel or the Settlement Administrator may be contacted for additional information.**

**You also may visit the court approved website, if and when one is made available.**

***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 claims management consultant; we are not a court appointed claims administrator or class counsel. If you hire FRS, FRS 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 claims process; to reduce the support needed from your in-house staff, FRS will provide advice on what, if any, documents need to be collected and maintained, and, when requested, will assist in that effort; when required documents are not available or are too burdensome to collect, FRS will attempt to develop innovative alternatives to satisfy documentation requirements and then negotiate on your behalf to obtain approval of those alternatives; FRS 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; FRS will provide regular updates on the recovery process; FRS will review your payment to assure that it has not been under calculated; and FRS 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:** If you wish to hire FRS to file and manage a claim on your behalf, you must return a signed copy of an Authorization Agreement. Before doing so, it is important that you understand its terms and make sure that your basic information at the top of the page is correct.