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6 Attorneys for Defendants,
7 **SCHERING-PLOUGH CORPORATION GROUP BENEFITS
PLAN (erroneously sued herein as “SCHERING-PLOUGH GROUP
8 BENEFITS PLAN”), SCHERING-PLOUGH CORPORATION
and MERCK & CO., INC. And Real Party In Interest LIFE
9 INSURANCE COMPANY OF NORTH AMERICA**

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14 Attorneys for Plaintiff,
15 **PERRI EDEL**

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 PERRI EDEL,

19 Plaintiff,

20 vs.

21 SCHERING-PLOUGH GROUP BENEFITS
PLAN; SCHERING-PLOUGH
CORPORATION; MERCK & CO., INC.,

22 Defendants,

24 LIFE INSURANCE COMPANY OF NORTH
AMERICA,

25 Real Party In Interest.

26 AND RELATED COUNTERCLAIM.
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Case No.: C11-02778 TEH

**STIPULATION OF DISMISSAL WITH
PREJUDICE AND [PROPOSED] ORDER
THEREON**

1 **IT IS HEREBY STIPULATED**, by and between the parties to this action, plaintiff PERRI
2 EDEL and defendants SCHERING-PLOUGH CORPORATION GROUP BENEFITS PLAN,
3 SCHERING-PLOUGH CORPORATION and MERCK & CO., INC. and real party in interest LIFE
4 INSURANCE COMPANY OF NORTH AMERICA, through their respective attorneys of record,
5 that the above-entitled action, and all claims for relief therein, shall be dismissed with prejudice
6 pursuant to Federal Rule of Civil Procedure 41(a), with each party to bear its own costs and
7 attorneys' fees.

8
9 Dated: January 12, 2012

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

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11 By: /s/ Charan M. Higbee
12 ADRIENNE C. PUBLICOVER
13 CHARAN M. HIGBEE
14 Attorneys for Defendants,
15 SCHERING-PLOUGH CORPORATION
16 GROUP BENEFITS PLAN, SCHERING-
17 PLOUGH CORPORATION, and MERCK &
18 CO., INC. and Real Party In Interest
19 LIFE INSURANCE COMPANY OF NORTH
20 AMERICA

21
22 Dated: January 12, 2012

LAW OFFICES OF LAURENCE F. PADWAY

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24 By: /s/ Laurence F. Padway
25 LAURENCE F. PADWAY
26 KAREN K. WIND
27 Attorneys for Plaintiff,
28 PERRI EDEL

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~~PROPOSED~~ ORDER

The parties having stipulated that the above-entitled action, and all claims for relief therein, shall be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a), with each party to bear its own costs and attorneys' fees,

IT IS SO ORDERED.

Dated: _____, January 12, 2012

