

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ROSE SFEIR,

Plaintiff,

ORDER AND STAY

06-CV-6130L

v.

MERCK & CO., INC.,

Defendant.

On March 2, 2006, Merck removed this negligence and product liability action from New York State Supreme Court pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

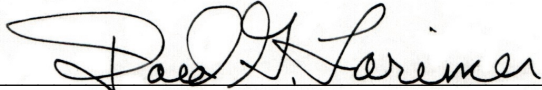
Merck has filed a motion to stay the action pending the issuance of a conditional order by the Judicial Panel on Multidistrict Litigation (“JPML”) transferring the case as “tag-along” action to *In re Vioxx Marketing, Sales Practices and Products Liability Litigation*, MDL No. 1657, an MDL action that has been established in the Eastern District of Louisiana.

For the reasons set forth in this Court’s March 1, 2006 Order to Stay filed in 11 other cases (*see e.g., Campbell v. Merck & Co., Inc., et al., 05-CV-6740L, Dkt. #17*), Merck’s motion to stay is granted.

CONCLUSION

Merck's motion to stay (Dkt. #4) is **GRANTED**.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
March 9, 2006.