

Dear [Claimant](#):

Re: Vioxx Class Action

We are writing at this time to remind you to preserve your claim, in particular your medical records. Given that Merck has fought long and hard through the early certification-stage of the proceeding, we anticipate many more battles in future, and unfortunately, more time to pass before coming to a resolution of this matter. In order to ensure that you have the proper documentary evidence to support your claim, if this matter is successful, you should ensure your medical records are intact and available.

Doctors and Pharmacies are only required by law to keep patient records for a limited amount of time. In Ontario¹, for example, doctors are required to keep records for approximately ten (10) years and pharmacists are required to keep records for at least six (6) years. If, for example, you experienced your Vioxx-related adverse event in between 1999 and 2001, your records would be nearing their deletion date. If this is the case, you would be well advised to obtain copies and/or advise your healthcare providers of your need for these records in the future.

If you elect to obtain copies of your records, please ensure you have copies of the following documents:

1. Pharmacy records from all pharmacies that filled a Vioxx prescription for you;
2. Medical records from all doctors and/or hospitals where treatment was sought for symptoms experienced related to the use of Vioxx;
3. Medical records from all doctors who prescribed Vioxx to you,
4. Medical records pre-dating Vioxx, by at least one year, through to the present date which outline your past and current health status (i.e. Family Physician records, including clinical notes, lab reports, specialist reports, hospital reports, etc.);

We further advise that if you obtain your records, that you keep these records in a safe place. If you prefer to transfer the safekeeping of these records to us, we would be happy to receive them.

If you do not want to participate in or be bound by the class action or a settlement of it, you must opt out of the class action **not later than July 1, 2010** in the manner prescribed in the Notice.

¹ Every province is different. Some provinces provide for a much shorter time period, between five and six years. Please check with your medical service provider to ensure your records are available.