

Document 1 of 501

BATES_RANGE : MRK-AAC0051588-MRK-AAC0051588
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/31/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Gertz, Barry J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding draft CV manuscripts.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : DENIED-Confidential communications with a lawyer generally are not revealed throughout the e-mail thread.
GRANTED-First message, sentence beginning with "I was..." and ending with "...data set."
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAC0051601-MRK-AAC0051602
PRIV_CLAIM : Attorney-Client Privilege
DATE : 06/01/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Gertz, Barry J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding draft CV manuscripts.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED AS REDACTED
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0113784-MRK-AAD0113784
ATTACHMENTS : Attaching MRK-AAD0113827-MRK-AAD0113868 Attaching MRK-AAD0113785-MRK-AAD0113826
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/06/01
AUTHOR : Bolton, Anne H.*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting request for legal advice and review of draft slides for presentations.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0113785-MRK-AAD0113826
ATTACHMENTS : Attached to MRK-AAD0113784-MRK-AAD0113784
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/06/01
AUTHOR : Bolton, Anne H.*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Draft slides reflecting client confidences and legal advice and opinions regarding VIGOR study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0113827-MRK-AAD0113868
ATTACHMENTS : Attached to MRK-AAD0113784-MRK-AAD0113784
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/6/2001
AUTHOR : Bolton, Anne H.*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Draft slides regarding VIGOR and CLASS studies reflecting client confidences and legal advice and opinions.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0113871-MRK-AAD0113871
ATTACHMENTS : Attaching MRK-AAD0113872-MRK-AAD0113915
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/6/2001
AUTHOR : Rodger, Ian W.
RECIPIENT : Reicin, Alise S.; Bolton, Anne H.*; Reed, Pamela R. cc: Rodger, Ian W.
DESCRIPTION : E-mail reflecting client confidences and a request for legal advice and opinions regarding draft CV-Renal slide presentation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Sent to both lawyer and non-lawyer for comment. Not primarily for legal advice - Denied. First sentence and last sentence of last full paragraph may be redacted - Granted.
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0113872-MRK-AAD0113915
ATTACHMENTS : Attached to MRK-AAD0113871-MRK-AAD0113871
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/06/01
AUTHOR : Rodger, Ian W.
RECIPIENT : Reicin, Alise S.; Bolton, Anne H.*; Reed, Pamela R. cc: Rodger, Ian W.
DESCRIPTION : Draft slide presentation reflecting client confidences and a request for legal advice and review of cardiovascular safety results.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0172716-MRK-AAD0172719
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail requesting legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.

First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages reveal no request for advice or advice rendered by an attorney. Sixth and Seventh and messages not primarily legal advice or a request for legal advice - Denied.
Eighth message does not give or reveal legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0172721-MRK-AAD0172724
ATTACHMENTS : Attaching MRK-AAD0172725-MRK-AAD0172758
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding journal article on Cox-2 and CV events.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.

First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily legal in purpose. Fifth message sent to both lawyer & non-lawyer but specifically addressed to the non-lawyer - not legal in purpose - Denied.
Sixth, Seventh, and Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice- Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0172725-MRK-AAD0172758
ATTACHMENTS : Attached to MRK-AAD0172721-MRK-AAD0172724
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions regarding study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but Merck can redact the comment of the lawyer affixed to it.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAD0173146-MRK-AAD0173149
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; incorporating email to Lahner, Joanne*

Amended Special Master Recommended Ruling - PSC "600"

DESCRIPTION : E-mail requesting legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer
- not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice
- Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything
has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.
Eleventh message is not seeking legal assistance - Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAZ0004155-MRK-AAZ0004155
ATTACHMENTS : Attaching MRK-AAZ0004156-MRK-AAZ0004199
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/08/01
AUTHOR : Bolton, Anne H.*
RECIPIENT : Demopoulos, Laura A. cc: Lahner, Joanne*; Glasser, Harold A.*; Reicin, Alise S.
DESCRIPTION : E-mail requesting legal advice and opinions and regarding Vioxx's relationship to CV events.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-AAZ0004156-MRK-AAZ0004199
ATTACHMENTS : Attached to MRK-AAZ0004155-MRK-AAZ0004155
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/08/01
AUTHOR : Bolton, Anne H.*
RECIPIENT : Demopoulos, Laura A. cc: Lahner, Joanne*; Glasser, Harold A.*; Reicin, Alise S.
DESCRIPTION : Draft presentation reflecting a request for legal advice and opinions of cardiovascular safety
results.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0150542-MRK-ABK0150545
ATTACHMENTS : Attaching MRK-ABK0150546-MRK-ABK0150579
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV

article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily legal in purpose. Fifth message sent to both lawyer & non-lawyer but specifically addressed to the non-lawyer - not legal in purpose - Denied.
Sixth, Seventh, and Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice- Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0150546-MRK-ABK0150579
ATTACHMENTS : Attached to MRK-ABK0150542-MRK-ABK0150545
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but Merck can redact the comment of the lawyer affixed to it.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0150580-MRK-ABK0150583
ATTACHMENTS : Attaching MRK-ABK0150584-MRK-ABK0150617
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.; Thompson, Caroline J.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding a draft abstract concerning VIOXX study results.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message sent to both lawyer and non-lawyer. Not primarily for legal advice - Denied.
Fifth message sent to both lawyer and non-lawyer and reveals no request for advice or advice rendered by an attorney. Content is specifically addressed to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh and Eighth messages not primarily legal advice or a request for legal advice - Denied.
Ninth Message - Granted.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0150584-MRK-ABK0150617
ATTACHMENTS : Attached to MRK-ABK0150580-MRK-ABK0150583
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.; Thompson, Caroline J.
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0220974-MRK-ABK0220977
ATTACHMENTS : Attaching MRK-ABK0220978-MRK-ABK0221011
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding journal article on Cox-2 and CV events.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily legal in purpose. Fifth message sent to both lawyer & non-lawyer but specifically addressed to the non-lawyer - not legal in purpose - Denied.
Sixth, Seventh, and Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice- Denied.
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0220978-MRK-ABK0221011
ATTACHMENTS : Attached to MRK-ABK0220974-MRK-ABK0220977
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions regarding study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but Merck can redact the comments of the lawyer affixed to it.
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0456011-MRK-ABK0456031
PRIV_CLAIM : Attorney-Client Privilege

Amended Special Master Recommended Ruling - PSC "600"

DATE : Undated
AUTHOR : Shapiro, Deborah; Barr, Eliav; Yu, Qinfen; Reicin, Alise S; Sperling, Rhoda S
RECIPIENT : Melin, Jeffrey
DESCRIPTION : Draft report reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV events in patients taking a rofecoxib.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : As redacted.
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0491726-MRK-ABK0491726
ATTACHMENTS : Attaching MRK-ABK0491727-MRK-ABK0491764
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/25/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting client confidences and a request for legal advice and opinions regarding review of CV review article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many to review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0491727-MRK-ABK0491764
ATTACHMENTS : Attached to MRK-ABK0491726-MRK-ABK0491726
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/25/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.
DESCRIPTION : Draft manuscript reflecting legal advice and opinions regarding rofecoxib study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : The attachment to a mixed purpose communication is not privileged, but Merck can redact the comments of the lawyer on the attachment before producing it.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0494031-MRK-ABK0494031
ATTACHMENTS : Attaching MRK-ABK0494032-MRK-ABK0494040 Attaching MRK-ABK0494041-MRK-ABK0494049 Attaching MRK-ABK0494050-MRK-ABK0494057 Attaching MRK-ABK0494058-MRK-ABK0494059
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 03/12/02
AUTHOR : Epstein, Linda*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Correspondence reflecting legal advice and opinions regarding litigation issues and preparatory

measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Communication from an attorney to a client is only derivatively protected by the privilege.
Mailing pre-existing publications does not disclose prior confidential communications of the client.
BOX_NUM : 1
FOLDERNO : 4

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BATES_RANGE : MRK-ABK0494032-MRK-ABK0494040
ATTACHMENTS : Attached to MRK-ABK0494031-MRK-ABK0494031
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 03/12/02
AUTHOR : Epstein, Linda*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Article reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Communication from an attorney to a client is only derivatively protected by the privilege.
Mailing pre-existing publications does not disclose prior confidential communications of the client.
BOX_NUM : 1
FOLDERNO : 4

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BATES_RANGE : MRK-ABK0494041-MRK-ABK0494049
ATTACHMENTS : Attached to MRK-ABK0494031-MRK-ABK0494031
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 09/17/01
AUTHOR : Abrams, Thomas W.
RECIPIENT : Gilmartin, Raymond V.
DESCRIPTION : Correspondence reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
BOX_NUM : 1
FOLDERNO : 4

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BATES_RANGE : MRK-ABK0494050-MRK-ABK0494057
ATTACHMENTS : Attached to MRK-ABK0494031-MRK-ABK0494031
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/01/01
AUTHOR : Antice, David W.
RECIPIENT : Abrams, Thomas W. cc: Gilmartin, Raymond V.
DESCRIPTION : Correspondence reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ABK0494058-MRK-ABK0494059
ATTACHMENTS : Attached to MRK-ABK0494031-MRK-ABK0494031

Amended Special Master Recommended Ruling - PSC "600"

PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 03/12/02
AUTHOR : Epstein, Linda*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Press release reflecting legal advice and opinions regarding public relations issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Communication from an attorney to a client is only derivatively protected by the privilege.
Mailing pre-existing publications does not disclose prior confidential communications of the client.
BOX_NUM : 1
FOLDERNO : 4

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BATES_RANGE : MRK-ABY0000411-MRK-ABY0000414
PRIV_CLAIM : Attorney-Client Privilege
DATE : 06/25/01
AUTHOR : Kostek, Alexander M.
RECIPIENT : Straus, Walter L; Krupa, David A; Reicin, Alise S; Sperling, Rhoda; Mortensen, Eric R; Rode, Robert J; Laurenzi, Martino; Simon, Thomas; Kong, Sheldon X; EIDada, Riad H; Morrison, Briggs W.*; Malloy, Tracey; Ruef, Tim; Schwartz, Jules; plus others from distribution list
DESCRIPTION : Minutes of meeting reflecting a request for legal advice and opinions regarding CV Safety manuscript submission.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Redaction on p. 412 - Denied because it merges both legal and medical decisions. Not primarily legal.
Redaction on p. 413 - Granted.
BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ACC0042022-MRK-ACC0042024
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages- Granted.

BOX_NUM : 1
FOLDERNO : 6

Document 30 of 501

BATES_RANGE : MRK-ACC0042097-MRK-ACC0042099
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding CV article issues.

Amended Special Master Recommended Ruling - PSC "600"

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages reveal no request for advice or advice rendered by an attorney. Sixth
and Seventh and messages not primarily legal advice or a request for legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 31 of 501

BATES_RANGE : MRK-ACC0042138-MRK-ACC0042141
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV
article issues.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer
- not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice
- Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything
has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ACC0042142-MRK-ACC0042145
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; incorporating to from Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV
article issues..

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer
- not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice
- Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything
has to get Legal's approval - Denied.

Tenth message is neither seeking nor giving legal advice - Denied.
Eleventh message is not seeking legal assistance - Denied.
Twelfth message is not seeking legal assistance - Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ACC0042295-MRK-ACC0042299
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/11/02
AUTHOR : Hirsch, Laurence J.
RECIPIENT : Sperling, Rhoda; Reicin, Alise S.; incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message does not relate legal advice from Lahner - Denied.
Eleventh message does not reveal confidential information communicated to or by an attorney - Denied.
Twelfth message is neither to nor from an attorney - not legal in nature - Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ACC0044540-MRK-ACC0044542
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth message - Granted.

BOX_NUM : 1
FOLDERNO : 6

Document 35 of 501

BATES_RANGE : MRK-ACC0044696-MRK-ACC0044698
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages reveal no request for advice or advice rendered by an attorney. Sixth and Seventh and messages not primarily legal advice or a request for legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 36 of 501

BATES_RANGE : MRK-ACC0044811-MRK-ACC0044814
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Reicin, Alise S. and incorporating email from Sperling, Rhoda to Lahner, Joanne*
RECIPIENT : Sperling, Rhoda;
DESCRIPTION : E-mail reflecting a request for legal advice, legal review and legal opinions regarding draft review of cardiovascular article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 37 of 501

BATES_RANGE : MRK-ACC0044816-MRK-ACC0044819
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda;incorporating email to Lahner, Joanne*

Amended Special Master Recommended Ruling - PSC "600"

DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.
Eleventh message is not seeking legal assistance - Denied.
Twelfth message is not seeking legal assistance - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 38 of 501

BATES_RANGE : MRK-ACC0045029-MRK-ACC0045033
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/11/02
AUTHOR : Hirsch, Laurence J.
RECIPIENT : Sperling, Rhoda; Reicin, Alise S.; incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message does not relate legal advice from Lahner - Denied.
Eleventh message does not reveal confidential information communicated to or by an attorney - Denied.
Twelfth message is neither to nor from an attorney - not legal in nature - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 39 of 501

BATES_RANGE : MRK-ACC0049166-MRK-ACC0049168
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Sperling, Rhoda

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Reicin, Alise S. ;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message addressed to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message - Granted.
Sixth message is not a request for legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 40 of 501

BATES_RANGE : MRK-ACC0049202-MRK-ACC0049204
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message addressed to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message - Granted.
Sixth message is not a request for legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 41 of 501

BATES_RANGE : MRK-ACC0049264-MRK-ACC0049267
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda and incorporating email from Sperling, Rhoda to Lahner, Joanne*
RECIPIENT : Reicin, Alise S.;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice, legal review and legal opinions regarding draft review of cardiovascular article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages reveal no request for advice or advice rendered by an attorney. Sixth and Seventh and messages not primarily legal advice or a request for legal advice - Denied.
Eighth message does not give or reveal legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 42 of 501

BATES_RANGE : MRK-ACC0049298-MRK-ACC0049301
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.
Eleventh message is not seeking legal assistance - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 43 of 501

BATES_RANGE : MRK-ACC0052442-MRK-ACC0052444
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message addressed to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message - Granted.
Sixth message is not a request for legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 44 of 501

BATES_RANGE : MRK-ACC0052474-MRK-ACC0052476
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message addressed to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message - Granted.
Sixth message is not a request for legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 45 of 501

BATES_RANGE : MRK-ACC0052519-MRK-ACC0052522
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages reveal no request for advice or advice rendered by an attorney. Sixth and Seventh and messages not primarily legal advice or a request for legal advice - Denied.
Eighth message does not give or reveal legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

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BATES_RANGE : MRK-ACC0054864-MRK-ACC0054866
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.

Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages - Granted.

BOX_NUM : 1
FOLDERNO : 6

Document 47 of 501

BATES_RANGE : MRK-ACC0054940-MRK-ACC0054942
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages reveal no request for advice or advice rendered by an attorney. Sixth message not primarily legal advice or a request for legal advice - Denied. Seventh message sent to both lawyer and non-lawyer - not primarily for legal assistance.

BOX_NUM : 1
FOLDERNO : 6

Document 48 of 501

BATES_RANGE : MRK-ACC0054990-MRK-ACC0054993
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 49 of 501

BATES_RANGE : MRK-ACC0054994-MRK-ACC0054997
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02

Amended Special Master Recommended Ruling - PSC "600"

AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.
Eleventh message is not seeking legal assistance - Denied.
Twelfth message is not seeking legal assistance - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 50 of 501

BATES_RANGE : MRK-ACC0055194-MRK-ACC0055198
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/11/02
AUTHOR : Hirsch, Laurence J.
RECIPIENT : Sperling, Rhoda; Reicin, Alise S.;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message does not relate legal advice from Lahner - Denied.
Eleventh message does not reveal confidential information communicated to or by an attorney - Denied.
Twelfth message is neither to nor from an attorney - not legal in nature - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 51 of 501

BATES_RANGE : MRK-ACC0059548-MRK-ACC0059550
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Sperling, Rhoda

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Reicin, Alise S.;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message addressed to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message - Granted.
Sixth message is not a request for legal advice - Denied.
BOX_NUM : 1
FOLDERNO : 6

Document 52 of 501

BATES_RANGE : MRK-ACC0059581-MRK-ACC0059583
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message addressed to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message - Granted.
Sixth message is not a request for legal advice - Denied.
BOX_NUM : 1
FOLDERNO : 6

Document 53 of 501

BATES_RANGE : MRK-ACC0059625-MRK-ACC0059628
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.;incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth and Fifth messages reveal no request for advice or advice rendered by an attorney. Sixth and Seventh and messages not primarily legal advice or a request for legal advice - Denied.
Eighth message does not give or reveal legal advice - Denied.
BOX_NUM : 1
FOLDERNO : 6

Document 54 of 501

BATES_RANGE : MRK-ACC0059629-MRK-ACC0059632
ATTACHMENTS : Attaching MRK-ACC0059633-MRK-ACC0059666
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily legal in purpose. Fifth message sent to both lawyer & non-lawyer but specifically addressed to the non-lawyer - not legal in purpose - Denied.
Sixth, Seventh, and Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice- Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 55 of 501

BATES_RANGE : MRK-ACC0059633-MRK-ACC0059666
ATTACHMENTS : Attached to MRK-ACC0059629-MRK-ACC0059632
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : Manuscript reflecting a request for legal advice and opinions.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but Merck can redact the comment of the lawyer affixed to it.

BOX_NUM : 1
FOLDERNO : 6

Document 56 of 501

BATES_RANGE : MRK-ACC0059705-MRK-ACC0059708
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Reicin, Alise S.; incorporating email to Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV article issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
Fourth message sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message sent to lawyer and non-lawyer but content is addressed specifically to non-lawyer - not primarily for legal advice - Denied.

Sixth, Seventh & Eighth messages sent to lawyer and non-lawyer - not primarily for legal advice - Denied.
Ninth message seeks legal approval, but there is nothing confidential about this since everything has to get Legal's approval - Denied.
Tenth message is neither seeking nor giving legal advice - Denied.
Eleventh message is not seeking legal assistance - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 57 of 501

BATES_RANGE : MRK-ACF0003294-MRK-ACF0003294
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 12/06/01
AUTHOR : Kirk, Christine M.
RECIPIENT : Barr, Eliav
DESCRIPTION : E-mail reflecting a request for information necessary to provide legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 58 of 501

BATES_RANGE : MRK-ACZ0048535-MRK-ACZ0048535
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Ruffin, Sandra
RECIPIENT : Bell, Gregory; Daniels, Brian F.; Morrison, Briggs W.; Mortensen, Eric R.; Ehrich, Elliot W. cc: Coppola, Linda G.; Baumgartner, Susan L.; Shah, Rashmi J.; Hall, Daniel L.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding promotional materials to be shown at cardiovascular and renal national teleconference.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 1
FOLDERNO : 6

Document 59 of 501

BATES_RANGE : MRK-ADA0073300-MRK-ADA0073300
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/28/01
AUTHOR : Black, Debra A.
RECIPIENT : Rosati, Jamie; Bourdow, Carrie L.; McCafferty, Julie; Donlan, Brian; Zenobi, Peter; Kaplan, Steffany cc: Morrison, Peg A.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding promotional use of Vigor results.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 60 of 501

BATES_RANGE : MRK-ADI0009049-MRK-ADI0009050
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/17/01
AUTHOR : Fanelle, Christine incorporating an email from Curtis, Sean P. to Lahner, Joanne*; Dixon, Wendy

Amended Special Master Recommended Ruling - PSC "600"

L.; Vignau, Steven; cc: Lewis, Suzanne Gregory*, Jordan, Laura; Fanelle, Christine; Melian, Augustin; Morrison, Briggs as well as an email from Lahner, Joanne*

RECIPIENT : Weiner, Jan D.; Ogden, Tracy C.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding study and data issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message from Lahner - Granted.
Second message from Curtis - Denied because not primarily intended to solicit legal advice.
BOX_NUM : 1
FOLDERNO : 6

Document 61 of 501

BATES_RANGE : MRK-AEJ0004010-MRK-AEJ0004035
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/02/02
AUTHOR : Grosser, Karen
RECIPIENT : Wollenberg, Gordon Kurt; Nicoll-Griffith, Debbie; Plump, Andrew S.; Schwartz, Jules I.; Reicin, Alise S.; Kwong, Elizabeth; Zamboni, Robert; Vailaya, Anant; Sturino, Claudio; Bateman, Kevin; plus others on the distribution list
DESCRIPTION : Draft NO-Rofecoxib Overview report reflecting legal advice and opinions regarding NO-Rofecoxib compound patent application.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 1
FOLDERNO : 6

Document 62 of 501

BATES_RANGE : MRK-AFI0142661-MRK-AFI0142662
ATTACHMENTS : Attaching MRK-AFI0142663-MRK-AFI0142689
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/28/01
AUTHOR : Mortensen, Eric R.
RECIPIENT : Williams, Mark M. cc: Payne, Susan M.; Simon, Thomas J.; Baumgartner, Susan L.; Morrison, Briggs W.
DESCRIPTION : E-mail reflecting Lahner, Joanne's* legal advice and opinions regarding promotional issues pertaining to draft Miami presentation.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : AS REDACTED
BOX_NUM : 1
FOLDERNO : 5

Document 63 of 501

BATES_RANGE : MRK-AFI0142663-MRK-AFI0142689
ATTACHMENTS : Attached to MRK-AFI0142661-MRK-AFI0142662
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/28/01
AUTHOR : Mortensen, Eric R.
RECIPIENT : Williams, Mark M. cc: Payne, Susan M.; Simon, Thomas J.; Baumgartner, Susan L.; Morrison, Briggs W.
DESCRIPTION : Presentation reflecting incorporating legal advice and opinions from Lahner, Joanne* regarding promotional issues regarding experts meeting slide show.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Legal advice of Lahner not explicitly disclosed.

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 1
FOLDERNO : 6

Document 64 of 501

BATES_RANGE : MRK-AFJ0015505-MRK-AFJ0015525
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : Undated
AUTHOR : Kim, Peter
RECIPIENT : Not Available
DESCRIPTION : Report reflecting legal advice and opinions regarding Merck's actions concerning Vioxx.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 65 of 501

BATES_RANGE : MRK-AFO0141653-MRK-AFO0141655
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/04/02
AUTHOR : Morrison, Briggs W., incorporating e-mail from Grosser, Karen to Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J.
RECIPIENT : Grosser, Karen
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding clinical study designs for VIOXX.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Sent to both lawyers and non-lawyers for comment. Not primarily concerned with obtaining legal advice.
BOX_NUM : 1
FOLDERNO : 6

Document 66 of 501

BATES_RANGE : MRK-AHO0042358-MRK-AHO0042378
PRIV_CLAIM : Attorney-Client Privilege
DATE : Undated
AUTHOR : Shapiro, Deborah; Barr, Eliav; Yu, Qinfen; Reicin, Alise S; Sperling, Rhoda S
RECIPIENT : Melin, Jeffrey
DESCRIPTION : Draft report reflecting a request for legal advice and opinions from Lahner, Joanne* regarding CV events in patients taking a rofecoxib.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : As redacted.
BOX_NUM : 1
FOLDERNO : 6

Document 67 of 501

BATES_RANGE : MRK-AHO0084382-MRK-AHO0084406
PRIV_CLAIM : Attorney-Client Privilege
DATE : Undated
AUTHOR : Reicin, Alise S.; Shapiro, Deborah; Sperling, Rhonda S.; Barr, Eliav; Yu, Qinfen
RECIPIENT : Melin, Jeffrey
DESCRIPTION : Draft report reflecting a request for legal advice and opinions from Lahner, Joanne* regarding study.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : AS REDACTED

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 1
FOLDERNO : 6

Document 68 of 501

BATES_RANGE : MRK-AHY0011049-MRK-AHY0011049
ATTACHMENTS : Attaching MRK-AHY0011050-MRK-AHY0011050 Attaching MRK-AHY0011051-MRK-AHY0011051 Attaching MRK-AHY0011052-MRK-AHY0011056
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/12/00
AUTHOR : Marino, Dominick
RECIPIENT : Kong, Sheldon X. cc: Bonaccorso, Silvia N.; Haim-Nemerson, Muriel; Williams, George W.; Nies, Alan S.; Lahner, Joanne*
DESCRIPTION : Internal form reflecting legal advice and opinions of Lahner, Joanne* regarding review of manuscript.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to many, including a lawyer. Not primarily for legal assistance.
BOX_NUM : 1
FOLDERNO : 6

Document 69 of 501

BATES_RANGE : MRK-AHY0011050-MRK-AHY0011050
ATTACHMENTS : Attached to MRK-AHY0011049-MRK-AHY0011049
PRIV_CLAIM : Attorney-Client Privilege
DATE : 4/12/2000
AUTHOR : Marino, Dominick
RECIPIENT : Kong, Sheldon X. cc: Bonaccorso, Silvia N.; Haim-Nemerson, Muriel; Williams, George W.; Nies, Alan S.; Lahner, Joanne*
DESCRIPTION : Internal form reflecting legal advice and opinions regarding review of manuscript.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to many, including a lawyer. Not primarily for legal assistance.
BOX_NUM : 1
FOLDERNO : 6

Document 70 of 501

BATES_RANGE : MRK-AHY0011051-MRK-AHY0011051
ATTACHMENTS : Attached to MRK-AHY0011049-MRK-AHY0011049
PRIV_CLAIM : Attorney-Client Privilege
DATE : 4/12/2000
AUTHOR : Marino, Dominick
RECIPIENT : Kong, Sheldon X. cc: Bonaccorso, Silvia N.; Haim-Nemerson, Muriel; Williams, George W.; Nies, Alan S.; Lahner, Joanne*
DESCRIPTION : Internal form reflecting legal advice and opinions regarding the effect of rofecoxib on patient with osteoarthritis.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to many, including a lawyer. Not primarily for legal assistance.
BOX_NUM : 1
FOLDERNO : 6

Document 71 of 501

BATES_RANGE : MRK-AHY0011052-MRK-AHY0011056
ATTACHMENTS : Attached to MRK-AHY0011049-MRK-AHY0011049
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/12/00
AUTHOR : Marino, Dominick

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Panzer, Curtis C.*; Lahner, Joanne*; McNamara, Maureen P.; Nies, Alan S.; Oppenheimer, Leonard; Pearson, Jay D.; Reicin, Alise S.; Strauss, Walter L.; Williams, George W. cc: Billups, Richard C.*; Rozdilsky, Walter; Gertz, Barry Joes; Sperling, Rhoda S.; Simon, Thomas J.; plus others from distribution list

DESCRIPTION : Internal manuscript reflecting legal advice and opinions Lahner, Joanne* regarding manuscript review.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED IN PART; DENIED IN PART

SM_REC_EXPL : Sent to many, including a lawyer. Not primarily for legal assistance - Denied. Attachment - Denied. Handwritten comments of lawyer - Granted.

BOX_NUM : 1

FOLDERNO : 6

Document 72 of 501

BATES_RANGE : MRK-AIP0021052-MRK-AIP0021080

PRIV_CLAIM : Attorney-Client Privilege

DATE : 01/01/02

AUTHOR : Gertz, Barry J.; Krupa, David; Bolognese, James; Sperling, Rhoda; Reicin, Alise

RECIPIENT : Lamond, Lisa

DESCRIPTION : Draft Journal article reflecting legal advice and opinions from Lahner, Joanne* regarding Edema and hypertension.

W_HELD_REDAC : Redacted portion(s).

SM_REC : GRANTED

SM_REC_EXPL : Granted as redacted.

BOX_NUM : 1

FOLDERNO : 6

Document 73 of 501

BATES_RANGE : MRK-AKU0003274-MRK-AKU0003274

ATTACHMENTS : Attaching MRK-AKU0003275-MRK-AKU0003316 Attaching MRK-AKU0003317-MRK-AKU0003358

PRIV_CLAIM : Attorney-Client Privilege

DATE : 07/27/01

AUTHOR : Reicin, Alise S.; incorporating an e-mail from Lahner, Joanne*

RECIPIENT : Lahner, Joanne*

DESCRIPTION : E-mail reflecting a request for information in order to render legal advice and opinions regarding presentation slides for Cardiovascular Advisory Board meeting.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED

BOX_NUM : 1

FOLDERNO : 6

Document 74 of 501

BATES_RANGE : MRK-AKU0003275-MRK-AKU0003316

ATTACHMENTS : Attached to MRK-AKU0003274-MRK-AKU0003274

PRIV_CLAIM : Attorney-Client Privilege

DATE : 07/27/01

AUTHOR : Reicin, Alise S.; incorporating an e-mail from Lahner, Joanne*

RECIPIENT : Lahner, Joanne*

DESCRIPTION : Presentation slides reflecting legal advice and opinions regarding VIGOR study.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED

BOX_NUM : 1

FOLDERNO : 6

Document 75 of 501

BATES_RANGE : MRK-AKU0003317-MRK-AKU0003358
ATTACHMENTS : Attached to MRK-AKU0003274-MRK-AKU0003274
PRIV_CLAIM : Attorney-Client Privilege
DATE : 07/27/01
AUTHOR : Reicin, Alise S.; incorporating an e-mail from Lahner, Joanne*
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Presentation slides reflecting legal advice and opinions regarding GI safety of Cox-2 inhibitors.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 76 of 501

BATES_RANGE : MRK-AKU0015938-MRK-AKU0015938
ATTACHMENTS : Attaching MRK-AKU0015939-MRK-AKU0015945 Attaching MRK-AKU0015946-MRK-AKU0015976
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/18/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Sperling, Rhoda; Krupa, David A.; Bourdow, Carrie L.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding edema-hypertension manuscript for Current Medical Research and Opinion journal.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread not listed on privilege log. First message - Denied. Not primarily for legal assistance. Sent to many for comment.
Second message - Granted.
BOX_NUM : 1
FOLDERNO : 6

Document 77 of 501

BATES_RANGE : MRK-AKU0015939-MRK-AKU0015945
ATTACHMENTS : Attached to MRK-AKU0015938-MRK-AKU0015938
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/18/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Sperling, Rhoda; Krupa, David A.; Bourdow, Carrie L.
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions regarding a study on edema and hypertension.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but any comments by lawyer appearing in the document may be redacted.
BOX_NUM : 1
FOLDERNO : 6

Document 78 of 501

BATES_RANGE : MRK-AKU0015946-MRK-AKU0015976
ATTACHMENTS : Attached to MRK-AKU0015938-MRK-AKU0015938
PRIV_CLAIM : Attorney-Client Privilege
DATE : 2/18/2002
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Sperling, Rhoda; Krupa, David A.; Bourdow, Carrie L.
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions regarding a study comparing osteoarthritis patients treated with rofecoxib and NSAIDs.
W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but any comments by lawyer appearing in the document may be redacted.
BOX_NUM : 1
FOLDERNO : 6

Document 79 of 501

BATES_RANGE : MRK-AKU0018810-MRK-AKU0018811
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/19/02
AUTHOR : Altmeyer, Anne
RECIPIENT : Reicin, Alise S.; Lahner, Joanne* cc: Stinson, Diane L.; Grosser, Karen; DiBattiste, Peter M.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIOXX CV outcomes study.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : First redacted message sent to many - not primarily legal in purpose.
Second redacted message - Granted.
BOX_NUM : 1
FOLDERNO : 6

Document 80 of 501

BATES_RANGE : MRK-AKU0019406-MRK-AKU0019407
ATTACHMENTS : Attaching MRK-AKU0019408-MRK-AKU0019445 Attaching MRK-AKU0019446-MRK-AKU0019484
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft CV effects and selective COX-2 inhibition manuscript.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice given - Denied.
Third message related prior advice of Lahner - Granted.
BOX_NUM : 1
FOLDERNO : 6

Document 81 of 501

BATES_RANGE : MRK-AKU0019408-MRK-AKU0019445
ATTACHMENTS : Attached to MRK-AKU0019406-MRK-AKU0019407
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.
DESCRIPTION : Disclosure form reflecting a request for legal advice and opinions regarding CV effects and selective COX-2 inhibition.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : The attachment to a mixed purpose communication is not privileged, but Merck can redact the comments of the lawyer on the attachment before producing it.
BOX_NUM : 1
FOLDERNO : 6

Document 82 of 501

BATES_RANGE : MRK-AKU0019446-MRK-AKU0019484
ATTACHMENTS : Attached to MRK-AKU0019406-MRK-AKU0019407
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions regarding cardiovascular effects and COX-2 inhibition.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : The attachment to a mixed purpose communication is not privileged, but Merck can redact the comments of the lawyer on the attachment before producing it.
BOX_NUM : 1
FOLDERNO : 6

Document 83 of 501

BATES_RANGE : MRK-AKU0020547-MRK-AKU0020549
ATTACHMENTS : Attaching MRK-AKU0020550-MRK-AKU0020587 Attaching MRK-AKU0020588-MRK-AKU0020626
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/04/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding CV review article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First message not primarily for legal advice. Sent to many to review - Denied.
Second message doesn't reveal legal advice - Denied.
Third message discloses comments of Lahner - Granted.
Fourth message is sent to a lawyer and non-lawyer. Not primarily for legal assistance - Denied.
BOX_NUM : 1
FOLDERNO : 6

Document 84 of 501

BATES_RANGE : MRK-AKU0020550-MRK-AKU0020587
ATTACHMENTS : Attached to MRK-AKU0020547-MRK-AKU0020549
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/04/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : Author Disclosure Form reflecting a request for legal advice and opinions regarding CV review article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 1
FOLDERNO : 6

Document 85 of 501

BATES_RANGE : MRK-AKU0020588-MRK-AKU0020626
ATTACHMENTS : Attached to MRK-AKU0020547-MRK-AKU0020549
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/04/02

Amended Special Master Recommended Ruling - PSC "600"

AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions regarding a review of the Rofecoxib development program.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 1
FOLDERNO : 6

Document 86 of 501

BATES_RANGE : MRK-AKU0020774-MRK-AKU0020776
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Sperling, Rhoda
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding CV review article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message not primarily for legal advice. Sent to many for review. Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message is to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message by an attorney - Granted.

BOX_NUM : 1
FOLDERNO : 6

Document 87 of 501

BATES_RANGE : MRK-AKU0020791-MRK-AKU0020793
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding CV review article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message addressed to both lawyer and non-lawyer - not primarily for legal advice - Denied.
Fifth message - Granted.
Sixth message is not a request for legal advice - Denied.

BOX_NUM : 1
FOLDERNO : 6

Document 88 of 501

BATES_RANGE : MRK-AKU0021057-MRK-AKU0021060
ATTACHMENTS : Attaching MRK-AKU0021061-MRK-AKU0021094
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.; Thompson, Caroline J.

Amended Special Master Recommended Ruling - PSC "600"

DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft CV article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message sent to both lawyer and non-lawyer. Not primarily for legal advice - Denied.
Fifth message sent to both lawyer and non-lawyer and reveals no request for advice or advice rendered by an attorney. Content is specifically addressed to non-lawyer - not primarily for legal advice - Denied.
Sixth, Seventh and Eighth messages not primarily legal advice or a request for legal advice - Denied.
Ninth Message - Granted.

BOX_NUM : 1
FOLDERNO : 6

Document 89 of 501

BATES_RANGE : MRK-AKU0021061-MRK-AKU0021094
ATTACHMENTS : Attached to MRK-AKU0021057-MRK-AKU0021060
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/10/02
AUTHOR : Sperling, Rhoda
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.; Thompson, Caroline J.
DESCRIPTION : Draft abstract reflecting a request for legal advice and opinions regarding review of rofecoxib development program.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 1
FOLDERNO : 6

Document 90 of 501

BATES_RANGE : MRK-AKU0031296-MRK-AKU0031296
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/19/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding VIGOR data presentation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : GRANTED-Sentence beginning with "'We are planning...'", and "It would be great".
DENIED-Remainder. Scheduled meeting is not privileged information about the attorney-client relationship.

BOX_NUM : 1
FOLDERNO : 4

Document 91 of 501

BATES_RANGE : MRK-AKU0051658-MRK-AKU0051660
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/01/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Morrison, Briggs W.
DESCRIPTION : Draft Presentation with handwritten attorney edits reflecting legal advice and opinions regarding

The Future Outlook For Coxibs.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 92 of 501

BATES_RANGE : MRK-AKU0055137-MRK-AKU0055137
ATTACHMENTS : Attaching MRK-AKU0055138-MRK-AKU0055162
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/19/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S. cc: Berwick, Gerry Joy*
DESCRIPTION : Printed e-mail reflecting legal advice and opinions regarding draft presentation slides for VIGOR study.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 93 of 501

BATES_RANGE : MRK-AKU0055138-MRK-AKU0055162
ATTACHMENTS : Attached to MRK-AKU0055137-MRK-AKU0055137
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/19/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S. cc: Berwick, Gerry Joy*
DESCRIPTION : Draft slides reflecting legal advice and opinions regarding VIGOR study data.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 94 of 501

BATES_RANGE : MRK-AKU0079843-MRK-AKU0079844
ATTACHMENTS : Attaching MRK-AKU0079845-MRK-AKU0079846
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/31/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Facsimile cover sheet reflecting a request for legal advice and opinions regarding Cardiovascular Safety of Cox-2 Inhibitors reflecting a request for legal advice and opinions.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 95 of 501

BATES_RANGE : MRK-AKU0079845-MRK-AKU0079846
ATTACHMENTS : Attached to MRK-AKU0079843-MRK-AKU0079844
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/31/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft news article reflecting a request for legal advice and opinions regarding publication of an article concerning CV safety of Cox-2 inhibitors at the Medical Letter.

W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 96 of 501

BATES_RANGE : MRK-AKU0079847-MRK-AKU0079868
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/01/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise
DESCRIPTION : Draft scientific paper with handwritten notation and edits by Lahner, Joanne* and Mayer, Ted* reflecting legal advice and opinions regarding CV thrombotic events in the controlled clinical trials of Rofecoxib.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 1
FOLDERNO : 6

Document 97 of 501

BATES_RANGE : MRK-ARF0113840-MRK-ARF0113840
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/31/01
AUTHOR : El-Dada, Riad H.
RECIPIENT : Gertz, Barry J.; Sperling, Rhoda; Reicin, Alise S. cc: Roberts, Rick M.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding CV manuscript.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED AS REDACTED
BOX_NUM : 1
FOLDERNO : 4

Document 98 of 501

BATES_RANGE : MRK-ASR0006898-MRK-ASR0006898
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/15/01
AUTHOR : Thompson, Caroline
RECIPIENT : Panzer, Curtis C.*; Lahner, Joanne*; Altmeyer, Anne; Malmstrom, Kerstin; Morrison, Briggs W.; Simon, Thomas Jaycc; Margolskee, Dorothy J.; Yates, John; Cnnuscio, Carolyn C.; Gertz, Barry Joel; Sperling, Rhoda S.; plus others from distribution list
DESCRIPTION : Draft manuscript reflecting legal advice and opinions regarding a study comparing rofecoxib and acetaminophen.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Sent to many for approval. Not primarily for legal advice - DENIED. Handwritten responses of Lahner - GRANTED.
BOX_NUM : 1
FOLDERNO : 4

Document 99 of 501

BATES_RANGE : MRK-AAB0078260-MRK-AAB0078262
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Braunstein, Ned S.; Shapiro, Deborah R.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED

Amended Special Master Recommended Ruling - PSC "600"

SM_REC_EXPL : Single redaction does not reveal legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 100 of 501

BATES_RANGE : MRK-AAB0078263-MRK-AAB0078264
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Single redaction does not reveal legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 101 of 501

BATES_RANGE : MRK-AAB0078269-MRK-AAB0078271
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction reveals that a decision was made with Regulatory and Lahner. Her legal advice is not disclosed.
BOX_NUM : 2
FOLDERNO : 6

Document 102 of 501

BATES_RANGE : MRK-AAC0071509-MRK-AAC0071509
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/21/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.; Demopoulos, Laura A.; Henshall, Ronald S.*
DESCRIPTION : E-mail reflecting client confidences and a request for legal advice and opinions regarding draft presentation and draft memo re: CV outcomes and Vioxx.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to many for comment. Message and attachment not primarily for legal advice or assistance. While the content of message specifically addresses the lawyer, it simply confirms that legal advice was being sought from Henshall, while non-legal assistance was being sought from several others. Therefore, the primary purpose for the communication was not legal advice. It was mixed.
BOX_NUM : 2
FOLDERNO : 6

Document 103 of 501

BATES_RANGE : MRK-AAD0085289-MRK-AAD0085289
ATTACHMENTS : Attaching MRK-AAD0085290-MRK-AAD0085303
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/18/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*

Amended Special Master Recommended Ruling - PSC "600"

DESCRIPTION : E-mail requesting legal advice and opinions regarding draft presentation to
DDMAC concerning Vioxx study data.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 104 of 501

BATES_RANGE : MRK-AAD0085290-MRK-AAD0085303
ATTACHMENTS : Attached to MRK-AAD0085289-MRK-AAD0085289
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/18/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft presentation reflecting a request for legal advice and opinions regarding presentation to
DDMAC concerning Vioxx study data.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 105 of 501

BATES_RANGE : MRK-AAD0085308-MRK-AAD0085308
ATTACHMENTS : Attaching MRK-AAD0085309-MRK-AAD0085325
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : E-mail requesting legal advice and opinions regarding draft presentation to DDMAC concerning
vioxx study data.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 106 of 501

BATES_RANGE : MRK-AAD0085309-MRK-AAD0085325
ATTACHMENTS : Attached to MRK-AAD0085308-MRK-AAD0085308
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft presentation reflecting a request for legal advice and opinions regarding presentation to
DDMAC concerning Vioxx study data.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 107 of 501

BATES_RANGE : MRK-AAD0086640-MRK-AAD0086641
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : Reicin, Alise S., incorporating email to Lahner, Joanne*.
RECIPIENT : DeGennaro, Pamela R.
DESCRIPTION : E-mail reflecting client confidences and requesting legal advice and opinions regarding draft

medical letter responding to Konstam article.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 2
FOLDERNO : 6

Document 108 of 501

BATES_RANGE : MRK-AAD0086652-MRK-AAD0086654
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : Reicin, Alise S., incorporating email to Lahner, Joanne*.
RECIPIENT : DeGennaro, Pamela R.
DESCRIPTION : E-mail reflecting client confidences and requesting legal advice and opinions regarding draft medical letter responding to Konstam article.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 2
FOLDERNO : 6

Document 109 of 501

BATES_RANGE : MRK-AAD0109624-MRK-AAD0109624
ATTACHMENTS : Attaching MRK-AAD0109625-MRK-AAD0109638
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft presentation and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 110 of 501

BATES_RANGE : MRK-AAD0109625-MRK-AAD0109638
ATTACHMENTS : Attached to MRK-AAD0109624-MRK-AAD0109624
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/25/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Draft presentation reflecting a request for legal advice and opinions regarding presentation to DDMAC concerning Vioxx study data.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 111 of 501

BATES_RANGE : MRK-AAD0109751-MRK-AAD0109751
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/22/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail Portion reflecting a request for legal advice and opinions regarding discussion of

advertisement resubmission to United States Food and Drug Administration for approval.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 112 of 501

BATES_RANGE : MRK-AAD0168306-MRK-AAD0168306
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/06/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Truitt, Ken E.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding regulatory issues surrounding VIOXX CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Single redaction does not reveal legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 113 of 501

BATES_RANGE : MRK-AAD0168405-MRK-AAD0168406
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Three redactions do not reveal legal advice received.
BOX_NUM : 2
FOLDERNO : 6

Document 114 of 501

BATES_RANGE : MRK-AAD0168410-MRK-AAD0168412
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Connors, Laurine G.; Silverman, Robert E.; Truitt, Ken E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction reveals that a decision was made with Regulatory and Lahner. Her legal advice is not disclosed.
BOX_NUM : 2
FOLDERNO : 6

Document 115 of 501

BATES_RANGE : MRK-AAD0174422-MRK-AAD0174426
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/15/02
AUTHOR : Hirsch, Laurence J.
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request to Joanne Lahner* for legal advice and opinions regarding abstract.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART

Amended Special Master Recommended Ruling - PSC "600"

SM_REC_EXPL : First redaction does not reveal contents of confidential communication to or from an attorney. Denied. Last sentence in first redaction - Granted. Second redaction is generally not primarily seeking legal advice - Denied.

Separate paragraph addressed to Joanne in second redaction - Granted.

BOX_NUM : 2
FOLDERNO : 6

Document 116 of 501

BATES_RANGE : MRK-ABA0013860-MRK-ABA0013860
ATTACHMENTS : Attaching MRK-ABA0013861-MRK-ABA0013861
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/21/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : Demopolous, Laura A.; Gertz, Barry J.; Henshall, Ronald S.*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting client confidences and a request for legal advice and opinions regarding draft presentation and draft memo re: CV outcomes and Vioxx.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to many for comment. The messages not primarily for legal advice or assistance. The redacted sentences do not disclose confidential information. It notes that Henshall was sent a copy, which the header reveals. Comments to Ron do not reveal legal advice or the content of a confidential communication seeking legal assistance.

BOX_NUM : 2
FOLDERNO : 6

Document 117 of 501

BATES_RANGE : MRK-ABA0013861-MRK-ABA0013861
ATTACHMENTS : Attached to MRK-ABA0013860-MRK-ABA0013860
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/20/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : DMC; Henshall, Ronald S.*
DESCRIPTION : Memorandum reflecting client confidences and a request for legal advice and opinions regarding coxib studies.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : The attachment to a mixed purpose communication is not privileged, but Merck may redact whatever comments of lawyers appear on the attachment prior to its production.

BOX_NUM : 2
FOLDERNO : 6

Document 118 of 501

BATES_RANGE : MRK-ABH0019607-MRK-ABH0019756
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/13/01
AUTHOR : Commercialization Team
RECIPIENT : Anstice, David W.; Ghanem, Roland; Greene, Douglas Alan; Henshall, Ronald S.*; Kelley, Bernard J.; Kim, Peter S.; Margolskee, Dorothy; McGlynn, Margaret G.; Nies, Alan S.; Scolnick, Edward M.; Sheares, Bradley T.; Slater, Eve; Verhoeven, Tom R.; Wold-Olsen, Per; Woodward, Thomas L. cc: Bissett, Robert T.*

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding FDA regulations .
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Page 19613 redaction-denied except for clause following "Oct. 01"-GRANTED.

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 2
FOLDERNO : 7

Document 119 of 501

BATES_RANGE : MRK-ABK0092223-MRK-ABK0092372
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/13/01
AUTHOR : Commercialization Team Members
RECIPIENT : Anstice, David W. Ghanem, Roland; Greene, Douglas Alan; Henshall, Ronald S.*; Kelley, Bernard J.; Kim, Peter S.; Margolskee, Dorothy; McGlynn, Margie G., Nies, Alan S.; Scolnick, Edward M.; Sheares, Bradley T.; Slater, Eve E.; Verhoeven, Thomas R.; Wold-Olsen, Per; Woodward, Thomas R.; Beauchard, Lucine E.; Block, Gilbert A.; Dixon, Wendy L.; El-Dada, Riad H.; Geba, Gregory P.; Gertz, Barry J.; Grosser, Karen; Harper, Sean E.; Johnson, Patricia A.; Kornowski, Sophie; Reicin, Alise S.; Ruef, Tim F.; Silverman, Robert E.; Simpson, Sandra L.; Tolani, Dinesh A.; Truitt, Kenneth E.; Vadas, Elizabeth B.; Watson, Douglas J. cc: Bissett, Robert T.*
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding HHPAC background material and study regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Page 92229 - First redaction-DENIED because legal advice is not apparent. Second redaction denied except for clause following "Oct 01" - Granted.

BOX_NUM : 2
FOLDERNO : 7

Document 120 of 501

BATES_RANGE : MRK-ABK0149973-MRK-ABK0149976
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/15/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda S.; Lahner, Joanne*; Hirsch, Laurence J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIGOR abstract.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on privilege log. Legal advice generally not sought through e-mail thread except for last message. Last message not primarily for legal assistance, but paragraph addressed exclusively to Joanne is privileged.

BOX_NUM : 2
FOLDERNO : 7

Document 121 of 501

BATES_RANGE : MRK-ABK0150232-MRK-ABK0150235
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/15/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda S.; Lahner, Joanne*; Hirsch, Laurence J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIGOR abstract.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on privilege log. Legal advice generally not sought through e-mail thread except for last message. Last message not primarily for legal assistance, but paragraph addressed exclusively to Joanne is privileged.

BOX_NUM : 2
FOLDERNO : 7

Document 122 of 501

BATES_RANGE : MRK-ABK0221030-MRK-ABK0221034
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/15/02
AUTHOR : Hirsch, Laurence J.
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request to Joanne Lahner* for legal advice and opinions regarding abstract.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : First redaction does not reveal legal advice. DENIED.
Second redaction is not revealing legal advice or request for legal advice- DENIED -except for last paragraph addressed to Joanne - GRANTED.
BOX_NUM : 2
FOLDERNO : 7

Document 123 of 501

BATES_RANGE : MRK-ACC0055301-MRK-ACC0055304
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/15/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*; Hirsch, Laurence J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIGOR abstract.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. Thread of messages in general are not primarily for legal advice. Sent to many for comment. Denied. Paragraph in last message addressed to Lahner - Granted.
BOX_NUM : 2
FOLDERNO : 6

Document 124 of 501

BATES_RANGE : MRK-ACD0018549-MRK-ACD0018550
ATTACHMENTS : Attaching MRK-ACD0018551-MRK-ACD0018552
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIOXX FDA letter.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.
BOX_NUM : 2
FOLDERNO : 7

Document 125 of 501

BATES_RANGE : MRK-ACD0018551-MRK-ACD0018552
ATTACHMENTS : Attached to MRK-ACD0018549-MRK-ACD0018550
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding Vioxx response to agency and promotional issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 2

Document 126 of 501

BATES_RANGE : MRK-ACR0012722-MRK-ACR0012722
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/26/01
AUTHOR : Frazier, Kenneth C.*
RECIPIENT : Greene, Douglas Alan cc: Wainwright, Joan
DESCRIPTION : E-mail reflecting legal advice and opinions regarding confidentiality of Vigor study issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Frazier does not appear to be giving legal advice or assistance. He is bringing a vice president up to date regarding press inquiries and gathering information about whether the source of the story has been contacted. The lawyer initiated the contact and, at this juncture, does not appear to be giving advice.
BOX_NUM : 2
FOLDERNO : 6

Document 127 of 501

BATES_RANGE : MRK-ACR0012723-MRK-ACR0012724
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/26/01
AUTHOR : Frazier, Kenneth C.*
RECIPIENT : Greene, Douglas Alan cc: Reicin, Alise S.; Wainwright, Joan
DESCRIPTION : E-mail reflecting legal advice and opinions regarding VIGOR study issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread is not disclosed on the privilege log.
In the first message the lawyer initiates the communication. He appears to be bringing recipient up to date on press inquiries and asking about source of news article. Legal advice does not appear to be the primary purpose of the communication. Second message from Greene responds to Frazier's inquiries. Last message reveals nothing but Frazier's thanks.
BOX_NUM : 2
FOLDERNO : 6

Document 128 of 501

BATES_RANGE : MRK-AFS0007977-MRK-AFS0007978
ATTACHMENTS : Attaching MRK-AFS0007979-MRK-AFS0007980
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIOXX FDA letter.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner

and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.

BOX_NUM : 2
FOLDERNO : 7

Document 129 of 501

BATES_RANGE : MRK-AFS0007979-MRK-AFS0007980
ATTACHMENTS : Attached to MRK-AFS0007977-MRK-AFS0007978
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : Draft public relations document reflecting legal advice and opinions regarding Vioxx response to agency and study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 2
FOLDERNO : 7

Document 130 of 501

BATES_RANGE : MRK-AFV0231155-MRK-AFV0231156
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Two redactions do not reveal legal advice received.
BOX_NUM : 2
FOLDERNO : 6

Document 131 of 501

BATES_RANGE : MRK-AFV0231157-MRK-AFV0231159
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Braunstein, Ned S.; Shapiro, Deborah R.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding update of Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Neither redaction reveals legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 132 of 501

BATES_RANGE : MRK-AFV0231160-MRK-AFV0231161
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Shapiro,

Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding update of Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Neither redaction reveals legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 133 of 501

BATES_RANGE : MRK-AFV0231162-MRK-AFV0231164
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Neither redaction reveals legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 134 of 501

BATES_RANGE : MRK-AFV0260627-MRK-AFV0260627
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/06/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Truitt, Ken E.; Russo, Elaine M.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding update of Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Single redaction does not reveal legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 135 of 501

BATES_RANGE : MRK-AHR0082576-MRK-AHR0082576
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/06/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Truitt, Ken E.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding changes to Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Single redaction does not reveal legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 136 of 501

BATES_RANGE : MRK-AHR0082675-MRK-AHR0082676
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding updating the Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : DENIED
SM_REC_EXPL : Two redactions do not reveal legal advice received.
BOX_NUM : 2
FOLDERNO : 6

Document 137 of 501

BATES_RANGE : MRK-AHR0082683-MRK-AHR0082685
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Braunstein, Ned S.; Shapiro, Deborah R.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding updating the Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Neither redaction reveals legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 138 of 501

BATES_RANGE : MRK-AHR0082686-MRK-AHR0082687
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding updating the Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Neither redaction reveals legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 139 of 501

BATES_RANGE : MRK-AHR0082690-MRK-AHR0082692
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding updating the Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Neither redaction reveals legal advice.
BOX_NUM : 2
FOLDERNO : 6

Document 140 of 501

BATES_RANGE : MRK-AKU0001999-MRK-AKU0001999
ATTACHMENTS : Attaching MRK-AKU0002000-MRK-AKU0002013
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/18/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding DDMAC draft

communications.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 141 of 501

BATES_RANGE : MRK-AKU0002000-MRK-AKU0002013
ATTACHMENTS : Attached to MRK-AKU0001999-MRK-AKU0001999
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/18/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft slides reflecting legal advice and opinions regarding clinical studies dealing with efficacy.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 142 of 501

BATES_RANGE : MRK-AKU0002019-MRK-AKU0002019
ATTACHMENTS : Attaching MRK-AKU0002020-MRK-AKU0002036
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft DDMAC communications.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 143 of 501

BATES_RANGE : MRK-AKU0002020-MRK-AKU0002036
ATTACHMENTS : Attached to MRK-AKU0002019-MRK-AKU0002019
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft slides reflecting legal advice and opinions regarding VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 144 of 501

BATES_RANGE : MRK-AKU0021629-MRK-AKU0021632
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/15/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Sperling, Rhoda; Lahner, Joanne*; Hirsch, Laurence J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding Naproxen abstract.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. Thread of messages in general are not

primarily for legal advice. Sent to many for comment. Denied. Paragraph in last message addressed to Lahner - Granted.

BOX_NUM : 2
FOLDERNO : 6

Document 145 of 501

BATES_RANGE : MRK-AKU0030026-MRK-AKU0030026
ATTACHMENTS : Attaching MRK-AKU0030027-MRK-AKU0030040
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft slide presentation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 146 of 501

BATES_RANGE : MRK-AKU0030027-MRK-AKU0030040
ATTACHMENTS : Attached to MRK-AKU0030026-MRK-AKU0030026
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Draft slide presentation reflecting legal advice and opinions regarding DDMAC meeting.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 2
FOLDERNO : 7

Document 147 of 501

BATES_RANGE : MRK-AKU0030520-MRK-AKU0030521
ATTACHMENTS : Attaching MRK-AKU0030522-MRK-AKU0030523
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scotta A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft Vioxx response to Agency.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.
BOX_NUM : 2
FOLDERNO : 7

Document 148 of 501

BATES_RANGE : MRK-AKU0030522-MRK-AKU0030523
ATTACHMENTS : Attached to MRK-AKU0030520-MRK-AKU0030521
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scotta A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert
DESCRIPTION : Draft questions reflecting legal advice and opinions regarding Alzheimer's disease.

Amended Special Master Recommended Ruling - PSC "600"

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 2
FOLDERNO : 7

Document 149 of 501

BATES_RANGE : MRK-JAF0023878-MRK-JAF0023879
ATTACHMENTS : Attaching MRK-JAF0023880-MRK-JAF0023881
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise; Bain, Raymond P.; Gertz, Barry; Silverman, Robert
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIOXX response to Agency.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.
BOX_NUM : 2
FOLDERNO : 7

Document 150 of 501

BATES_RANGE : MRK-JAF0023880-MRK-JAF0023881
ATTACHMENTS : Attached to MRK-JAF0023878-MRK-JAF0023879
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise; Bain, Raymond P.; Gertz, Barry; Silverman, Robert
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding draft VIOXX response to Agency.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 2
FOLDERNO : 7

Document 151 of 501

BATES_RANGE : MRK-AAB0064315-MRK-AAB0064316
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/24/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Silverman, Robert E.; Hirsch, Laurence J. cc: Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting a recitation of legal advice and opinions of Lahner, Joanne* regarding VIGOR related regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted
BOX_NUM : 3
FOLDERNO : 7

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BATES_RANGE : MRK-AAB0078254-MRK-AAB0078256
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Shapiro, Deborah R.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 153 of 501

BATES_RANGE : MRK-AAB0078295-MRK-AAB0078297
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/08/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Shapiro, Deborah R.; Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 154 of 501

BATES_RANGE : MRK-AAC0063778-MRK-AAC0063778
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/24/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Goldmann, Bonnie J; Blois, David W.; Greene, Douglas Alan; Gertz, Barry J.; Truitt, Ken E; Braunstein, Ned S.; Brokopp, Hanne; Defusco, Christa L.; Eader, Lou Ann; Erb, Dennis M.; Huang, Philip Lin; Leshner, Michelle Domingo; Loran, Bea; Mussen, Filip; Preuveneers, Geert; Simpson, Sandra L.; White-Guay, Brian cc: Lahner, Joanne*; Dixon, Wendy L.
DESCRIPTION : E-mail reflecting legal advice regarding approach to warning letter from FDA.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 7

Document 155 of 501

BATES_RANGE : MRK-AAD0074197-MRK-AAD0074197
ATTACHMENTS : Attaching MRK-AAD0074198-MRK-AAD0074202
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Quinlan, Michael D.*
RECIPIENT : Reicin, Alise S.; Pruitt, Kenneth F.; Simpson, Sandra L. cc: Lahner, Joanne*; Smith-Wang, Bjorn
DESCRIPTION : E-mail reflecting legal advice and opinions regarding public relations issues.
W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : DENIED
SM_REC_EXPL : First message not sent to a lawyer - DENIED. It is not revealed how first non-privileged message was attached to a confidential communication to Quinlan. Quinlan's message sending the first message to others for review and comment is not shown to be necessary for Quinlan's advice as opposed to a circulation in the normal course of business. Additionally, one of the addressees, Kenneth F. Pruitt, is not identified or on the list of corporate employees.

BOX_NUM : 3
FOLDERNO : 8

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BATES_RANGE : MRK-AAD0074198-MRK-AAD0074202
ATTACHMENTS : Attached to MRK-AAD0074197-MRK-AAD0074197
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Quinlan, Michael D.*
RECIPIENT : Reicin, Alise S.; Pruitt, Kenneth F.; Simpson, Sandra L. cc: Lahner, Joanne*; Smith-Wang, Bjorn
DESCRIPTION : Draft public relations materials reflecting client confidences and a request for legal advice and opinions as regards CV issues.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a non-privileged communication is not privileged and comments on the attachment are those of a non-lawyer.

BOX_NUM : 3
FOLDERNO : 8

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BATES_RANGE : MRK-AAD0075552-MRK-AAD0075553
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : DeGennaro, Pamela R., incorporating email to Lahner, Joanne*.
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting client confidences and requesting legal advice and opinions regarding draft medical letter responding to Konstam article.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
Only e-mail to Lahner dated Fri. Nov 2, 2001, 11:43 am is privileged - Granted.
Remainder of e-mail thread - Denied.
Not seeking legal advice.

BOX_NUM : 3
FOLDERNO : 7

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BATES_RANGE : MRK-AAD0085686-MRK-AAD0085690
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/24/01
AUTHOR : Reicin, Alise S., incorporating an e-mail from Lahner, Joanne*
RECIPIENT : Stejbach, Mark P.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.

W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 3
FOLDERNO : 8

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BATES_RANGE : MRK-AAD0086015-MRK-AAD0086019
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/26/01
AUTHOR : Reicin, Alise S., incorporating an e-mail from Lahner, Joanne*
RECIPIENT : Stejbach, Mark P.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 8

Document 160 of 501

BATES_RANGE : MRK-AAD0086618-MRK-AAD0086619
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : E-mail requesting legal advice, review and opinions regarding medical letter responding to article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 7

Document 161 of 501

BATES_RANGE : MRK-AAD0109622-MRK-AAD0109622
ATTACHMENTS : Attaching MRK-AAD0109623-MRK-AAD0109623
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding regulatory and promotional issues concerning VIGOR study results and correspondence with DDMAC.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 7

Document 162 of 501

BATES_RANGE : MRK-AAD0109623-MRK-AAD0109623
ATTACHMENTS : Attached to MRK-AAD0109622-MRK-AAD0109622
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Draft schedule reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 3
FOLDERNO : 7

Document 163 of 501

BATES_RANGE : MRK-AAD0111071-MRK-AAD0111072
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting client confidences and requesting legal advice and opinions regarding draft medical letter responding to Konstam article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 7

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BATES_RANGE : MRK-AAD0111074-MRK-AAD0111075
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : DeGennaro, Pamela R., incorporating email to Lahner, Joanne*.
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting client confidences and requesting legal advice and opinions regarding draft medical letter responding to Konstam article.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted
BOX_NUM : 3
FOLDERNO : 7

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BATES_RANGE : MRK-AAD0165403-MRK-AAD0165403
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/15/02
AUTHOR : El-Dada, Riad H.
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding MRL/CDP support post label change.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First redaction - Granted.
Second redaction - Denied.
The fact that Lahner wants to speak with third parties and the scheduling of a conference call is not privileged information about an attorney-client relationship.
BOX_NUM : 3
FOLDERNO : 7

Document 166 of 501

BATES_RANGE : MRK-AAD0168310-MRK-AAD0168311
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Truitt, Ken E.
RECIPIENT : Braunstein, Ned S.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding regulatory issues surrounding VIOXX CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED

Amended Special Master Recommended Ruling - PSC "600"

SM_REC_EXPL : Redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.
BOX_NUM : 3
FOLDERNO : 7

Document 167 of 501

BATES_RANGE : MRK-AAD0168312-MRK-AAD0168313
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.
BOX_NUM : 3
FOLDERNO : 7

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BATES_RANGE : MRK-AAD0168407-MRK-AAD0168409
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Shapiro, Deborah R.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB .
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.
BOX_NUM : 3
FOLDERNO : 7

Document 169 of 501

BATES_RANGE : MRK-AAD0172916-MRK-AAD0172929
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Fanelle, Christine
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Public relations document reflecting request for legal and Lahner, Joanne's* advice regarding draft Q&A for Vioxx Label Change.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First redaction provides information and notes that legal will update it on a certain date. This does not reveal that the information supplied was from legal or was legal advice, and it clearly does not disclose future updates. Second redaction denied except for portion in brackets.
BOX_NUM : 3
FOLDERNO : 7

Document 170 of 501

BATES_RANGE : MRK-AAZ0007218-MRK-AAZ0007218
ATTACHMENTS : Attaching MRK-AAZ0007223-MRK-AAZ0007245 Attaching MRK-AAZ0007221-MRK-

AAZ0007221
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen;
Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding internal presentation of epi
study.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to both lawyers and non-lawyers for comment. Not primarily for legal advice.
BOX_NUM : 3
FOLDERNO : 8

Document 171 of 501

BATES_RANGE : MRK-AAZ0007221-MRK-AAZ0007221
ATTACHMENTS : Attached to MRK-AAZ0007218-MRK-AAZ0007218
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/27/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen;
Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : Draft HHPAC presentation slide which is subject of request for Lahner, Joanne's* comments and
approval.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a
lawyer may be redacted before production.
BOX_NUM : 3
FOLDERNO : 8

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BATES_RANGE : MRK-AAZ0007223-MRK-AAZ0007245
ATTACHMENTS : Attached to MRK-AAZ0007218-MRK-AAZ0007218
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/27/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen;
Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : Draft presentation sent to Lahner, Joanne* for legal advice and opinions regarding study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a
lawyer may be redacted before production.
BOX_NUM : 3
FOLDERNO : 8

Document 173 of 501

BATES_RANGE : MRK-ABK0014891-MRK-ABK0014892
ATTACHMENTS : Attaching MRK-ABK0014893-MRK-ABK0014899
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Quinlan, Michael D.* cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding public relations issues.
W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : DENIED
SM_REC_EXPL : First message not sent to a lawyer - DENIED. It is not revealed how first non-privileged message was attached to a confidential communication to Quinlan. Quinlan's message sending the first message to others for review and comment is not shown to be necessary for Quinlan's advice as opposed to a circulation in the normal course of business. Additionally, one of the addressees, Kenneth F. Pruitt, is not identified or on the list of corporate employees. Message from Quinlan about wrong address is not legal. Responsive communication from Truitt is not privileged because of deficiency in first Quinlan message.

BOX_NUM : 3
FOLDERNO : 8

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BATES_RANGE : MRK-ABK0014893-MRK-ABK0014899
ATTACHMENTS : Attached to MRK-ABK0014891-MRK-ABK0014892
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Quinlan, Michael D.* cc: Reicin, Alise S.
DESCRIPTION : Draft standby statement reflecting a request for, and provision of, legal advice and opinions as it more specifically relates to CV issues.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a non-privileged communication is not privileged and comments on the attachment are those of a non-lawyer.

BOX_NUM : 3
FOLDERNO : 8

Document 175 of 501

BATES_RANGE : MRK-ABK0157957-MRK-ABK0157958
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

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BATES_RANGE : MRK-ABK0163446-MRK-ABK0163447
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.

Amended Special Master Recommended Ruling - PSC "600"

W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 177 of 501

BATES_RANGE : MRK-ABK0174007-MRK-ABK0174008
ATTACHMENTS : Attaching MRK-ABK0174009-MRK-ABK0174015
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Quinlan, Michael D.* cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting request for legal advice and opinions regarding Q&A internal response document.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : First message not sent to a lawyer - DENIED. It is not revealed how first non-privileged message was attached to a confidential communication to Quinlan. Quinlan's message sending the first message to others for review and comment is not shown to be necessary for Quinlan's advice as opposed to a circulation in the normal course of business. Additionally, one of the addressees, Kenneth F. Pruitt, is not identified or on the list of corporate employees. Message from Quinlan about wrong address is not legal. Responsive communication from Truitt is not privileged because of deficiency in first Quinlan message.

BOX_NUM : 3
FOLDERNO : 8

Document 178 of 501

BATES_RANGE : MRK-ABK0174009-MRK-ABK0174015
ATTACHMENTS : Attached to MRK-ABK0174007-MRK-ABK0174008
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Quinlan, Michael D.* cc: Reicin, Alise S.
DESCRIPTION : Draft standby statement reflecting a request for, and provision of, legal advice and opinions as it more specifically relates to CV issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a non-privileged communication is not privileged and comments on the attachment are those of a non-lawyer.

BOX_NUM : 3
FOLDERNO : 8

Document 179 of 501

BATES_RANGE : MRK-ABK0220565-MRK-ABK0220566
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 180 of 501

BATES_RANGE : MRK-ABK0246791-MRK-ABK0246792
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding update of Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 181 of 501

BATES_RANGE : MRK-ABS0348989-MRK-ABS0348989
ATTACHMENTS : Attaching MRK-ABS0348994-MRK-ABS0349016 Attaching MRK-ABS0348992-MRK-ABS0348992
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne M.*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen; Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding presentation slides for study design.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to both lawyers and non-lawyers for comment. Not primarily for legal advice.

BOX_NUM : 3
FOLDERNO : 8

Document 182 of 501

BATES_RANGE : MRK-ABS0348992-MRK-ABS0348992
ATTACHMENTS : Attached to MRK-ABS0348989-MRK-ABS0348989
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne M.*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen; Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : Draft presentation reflecting client confidences and a request for legal advice and opinions

BOX_NUM : 3
FOLDERNO : 7

Document 186 of 501

BATES_RANGE : MRK-ABW0011611-MRK-ABW0011611
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 3
FOLDERNO : 7

Document 187 of 501

BATES_RANGE : MRK-ACD0037150-MRK-ACD0037151
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 188 of 501

BATES_RANGE : MRK-ACI0007893-MRK-ACI0007893
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/19/00
AUTHOR : Weiner, Jan D.
RECIPIENT : Barr, Eliav; Lahner, Joanne*; Westrick, Ellen R.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding revised CV issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to several and a lawyer was one. Not primarily for legal advice.
BOX_NUM : 3
FOLDERNO : 7

Document 189 of 501

BATES_RANGE : MRK-ACR0002574-MRK-ACR0002575
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/24/01
AUTHOR : Gertz, Barry J., incorporating e-mail to Lahner, Joanne*
RECIPIENT : Greene, Douglas Alan
DESCRIPTION : E-mail reflecting legal advice and opinions regarding FDA Warning letter.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 3
FOLDERNO : 7

Amended Special Master Recommended Ruling - PSC "600"

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BATES_RANGE : MRK-ACR0015540-MRK-ACR0015540
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/24/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Goldmann, Bonnie J.; Blois, David W.; Greene, Douglas Alan; Gertz, Barry J.; Truitt, Ken E.;
Braunstein, Ned S.; Brokopp, Hanne; Defusco, Christa L.; Eader, Lou Ann; Erb, Dennis M.;
Huang, Philip Lin; Leshner, Michelle Domingo; Loran, Bea; Mussen, Filip; Preuveneers, Geert;
Simpson, Sandra L.; White-Guay, Brian cc: Lahner, Joanne*; Dixon, Wendy L.
DESCRIPTION : E-mail reflecting legal advice regarding approach to warning letter from FDA.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 3
FOLDERNO : 7

Document 191 of 501

BATES_RANGE : MRK-ADW0005166-MRK-ADW0005167
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/19/01
AUTHOR : Cannell, Thomas R.
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Silverman, Robert E. cc: Beauchard, Lucine E.; Dixon, Wendy
L.
DESCRIPTION : Memorandum reflecting a request for approval from Lahner, Joanne* regarding distribution of
VIGOR background training materials.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to both lawyers and non-lawyers. Not primarily for legal advice or assistance.
BOX_NUM : 3
FOLDERNO : 7

Document 192 of 501

BATES_RANGE : MRK-AFV0072459-MRK-AFV0072459
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/24/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Goldmann, Bonnie J.; Blois, David W.; Greene, Douglas Alan; Gertz, Barry J.; Truitt, Ken E.;
Braunstein, Ned S.; Brokopp, Hanne; Defusco, Christa L.; Eader, Lou Ann; Erb, Dennis M.;
Huang, Philip Lin; Leshner, Michelle Domingo; Loran, Bea; Mussen, Filip; Preuveneers, Geert;
Simpson, Sandra L.; White-Guay, Brian cc: Lahner, Joanne*; Dixon, Wendy L.
DESCRIPTION : E-mail reflecting legal advice regarding approach to warning letter from FDA.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 7

Document 193 of 501

BATES_RANGE : MRK-AFV0231148-MRK-AFV0231149
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Truitt, Ken E.
RECIPIENT : Braunstein, Ned S.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED

Amended Special Master Recommended Ruling - PSC "600"

SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 194 of 501

BATES_RANGE : MRK-AFV0231167-MRK-AFV0231169
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/08/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Shapiro, Deborah R.; Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding update of Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice.
Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

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BATES_RANGE : MRK-AFV0231170-MRK-AFV0231172
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/08/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Reicin, Alise S.; Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding update of Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice.
Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 196 of 501

BATES_RANGE : MRK-AFV0260630-MRK-AFV0260631
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding update of Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 197 of 501

BATES_RANGE : MRK-AGB0001802-MRK-AGB0001832
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/17/00
AUTHOR : Margiatto, Gaye M.
RECIPIENT : Perlmutter, Roger cc: Rose, Deneen; Daniels, Brian F.; Kylish, Gregory S.; Harper, Sean E.; McKines, Charlotte O.; Reicin, Alise S.
DESCRIPTION : Draft internal document reflecting a request for legal advice and opinions regarding label changes.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction does not reveal legal advice.
BOX_NUM : 3
FOLDERNO : 7

Document 198 of 501

BATES_RANGE : MRK-AHR0079383-MRK-AHR0079383
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/24/01
AUTHOR : Silverman, Robert E. incorporating e-mail to Lahner, Joanne* and Henshall, Ronald S.*
RECIPIENT : Goldmann, Bonnie J.; Blois, David W.; Greene, Douglas Alan; Gertz, Barry J.; Truitt, Ken E.; Braunstein, Ned S.; Brokopp, Hanne; Defusco, Christa L.; Eader, Lou Ann; Erb, Dennis M. and others cc: Lahner, Joanne*; Dixon, Wendy L.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding responses to FDA warning letter.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 7

Document 199 of 501

BATES_RANGE : MRK-AHR0081983-MRK-AHR0081984
ATTACHMENTS : Attaching MRK-AHR0081985-MRK-AHR0081985
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/07/02
AUTHOR : Lines, Christopher, incorporating email from Lahner, Joanne* to OSTIC Correspondence
RECIPIENT : OSTIC Correspondence cc: Lahner, Joanne*; Reicin, Alise S.; Truitt, Ken E.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding study manuscript to be presented at APLAR.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First redaction on p. 81983 - GRANTED. Second redaction on p. 81984 - DENIED.
BOX_NUM : 3
FOLDERNO : 8

Document 200 of 501

BATES_RANGE : MRK-AHR0081985-MRK-AHR0081985
ATTACHMENTS : Attached to MRK-AHR0081983-MRK-AHR0081984
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/07/02
AUTHOR : Lines, Christopher

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : OSTIC Correspondence cc: Lahner, Joanne*; Reicin, Alise S.; Truitt, Ken E.
DESCRIPTION : Document reflecting request for legal advice and opinions regarding Reicin abstract.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a non-privileged communication is not privileged.
BOX_NUM : 3
FOLDERNO : 8

Document 201 of 501

BATES_RANGE : MRK-AHR0082577-MRK-AHR0082578
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.; Shapiro, Deborah R.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 202 of 501

BATES_RANGE : MRK-AHR0082677-MRK-AHR0082679
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Braunstein, Ned S.
RECIPIENT : Shapiro, Deborah R.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding updating the Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice.
Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 203 of 501

BATES_RANGE : MRK-AHR0084850-MRK-AHR0084851
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Truitt, Ken E.
RECIPIENT : Braunstein, Ned S.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding VIOXX labeling.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First redaction reveals no legal advice. Second redaction reveals that Regulatory Mgt and Lahner had input into a decision. This does not make the decision privileged because the message did not reveal the legal advice received.

BOX_NUM : 3
FOLDERNO : 7

Document 204 of 501

BATES_RANGE : MRK-AIP0003672-MRK-AIP0003677
PRIV_CLAIM : Attorney-Client Privilege
DATE : 08/04/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Oppenheimer, Leonard; Brakewood, E.B.; Morrison, Briggs; Vignau, Steven R.; Eader, Lou Ann; Braunstein, Ned S.; Melian, Agustin; Harper, Sean E. cc: Stejbach, Mark; Geba, Greg; Gertz, Barry J.; Truitt, Ken; Ng, Jennifer; plus others from distribution list.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding promotional, FDA regulations and Indocin Ank Spond Study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. Last message from Lahner - Granted. Remainder of e-mail thread - Denied.
Message either not sent to a lawyer (legal advice was not sought), or was sent to a lawyer and many others (not primarily seeking legal advice).

BOX_NUM : 3
FOLDERNO : 7

Document 205 of 501

BATES_RANGE : MRK-AIR0009317-MRK-AIR0009317
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/06/00
AUTHOR : Bolognese, James
RECIPIENT : Lahner, Joanne*; Straus, Walter L. cc: Morrison, Alan
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding manuscript review.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 8

Document 206 of 501

BATES_RANGE : MRK-AIR0009318-MRK-AIR0009318
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/06/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Bolognese, James; Straus, Walter L. cc: Morrison, Alan
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding manuscript review.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 8

Document 207 of 501

BATES_RANGE : MRK-AKU0001745-MRK-AKU0001745
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/24/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Goldmann, Bonnie J.; Blois, David W.; Greene, Douglas Alan; Gertz, Barry J.; Truitt, Ken E.; Braunstein, Ned S.; Brokopp, Hanne; Defusco, Christa L.; Eader, Lou Ann; Erb, Dennis M.; plus others from distribution list cc: Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions regarding Merck response to FDA warning letter.
W_HELD_REDAC : Redacted portion(s).

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 7

Document 208 of 501

BATES_RANGE : MRK-AKU0007229-MRK-AKU0007230
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft medical letter.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 7

Document 209 of 501

BATES_RANGE : MRK-AKU0014766-MRK-AKU0014767
ATTACHMENTS : Attaching MRK-AKU0014768-MRK-AKU0014768
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/07/02
AUTHOR : Lines, Christopher; incorporating an e-mail to Panzer, Curtis C.*
RECIPIENT : OSTIC Correspondence cc: Lahner, Joanne*; Reicin, Alise S.; Truitt, Ken E.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft manuscript on the cv effects of rofecoxib in elderly patients.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First redaction on p. 14766 - GRANTED. Second redaction on p. 14767 - DENIED. Unclear how legal advice sought or given as revealed in this redaction.
BOX_NUM : 3
FOLDERNO : 8

Document 210 of 501

BATES_RANGE : MRK-AKU0014768-MRK-AKU0014768
ATTACHMENTS : Attached to MRK-AKU0014766-MRK-AKU0014767
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/07/02
AUTHOR : Lines, Christopher; incorporating an e-mail to Panzer, Curtis C.*
RECIPIENT : OSTIC Correspondence cc: Lahner, Joanne*; Reicin, Alise S.; Truitt, Ken E.
DESCRIPTION : Draft manuscript reflecting a request for legal advice and opinions regarding the cv effects of rofecoxib in elderly patients.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a non privileged communication is not privileged.
BOX_NUM : 3
FOLDERNO : 8

Document 211 of 501

BATES_RANGE : MRK-AKU0014769-MRK-AKU0014770
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/07/02
AUTHOR : Truitt, Ken E.; incorporating an e-mail to Panzer, Curtis C.*
RECIPIENT : Lines, Christopher; OSTIC Correspondence cc: Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft manuscript on the cv

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effects of rofecoxib in elderly patients.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First redaction on p. 14769 - GRANTED. Second redaction on p. 14770 - DENIED. Unclear how legal advice sought or given as revealed in this redaction.
BOX_NUM : 3
FOLDERNO : 8

Document 212 of 501

BATES_RANGE : MRK-AKU0016699-MRK-AKU0016699
ATTACHMENTS : Attaching MRK-AKU0016700-MRK-AKU0016711 Attaching MRK-AKU0016713-MRK-AKU0016713 Attaching MRK-AKU0016715-MRK-AKU0016737
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen; Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft PAC slides.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to both lawyers and non-lawyers for comment. Not primarily concerned with obtaining legal advice.

BOX_NUM : 3
FOLDERNO : 8

Document 213 of 501

BATES_RANGE : MRK-AKU0016700-MRK-AKU0016711
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 3
FOLDERNO : 8

Document 214 of 501

BATES_RANGE : MRK-AKU0016713-MRK-AKU0016713
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 3
FOLDERNO : 8

Document 215 of 501

BATES_RANGE : MRK-AKU0016715-MRK-AKU0016737
ATTACHMENTS : Attached to MRK-AKU0016699-MRK-AKU0016699
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen; Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : Draft PAC slides reflecting a request for legal advice and opinions regarding aspirin study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART

Amended Special Master Recommended Ruling - PSC "600"

SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 3
FOLDERNO : 8

Document 216 of 501

BATES_RANGE : MRK-AKU0021148-MRK-AKU0021148
ATTACHMENTS : Attaching MRK-AKU0021149-MRK-AKU0021151
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/11/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Simpson, Sandra L.; Blois, David W.; Gertz, Barry J.; Greene, Douglas Alan; Kornowski, Sophie; Schecter, Adam H.

DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft letter to healthcare providers.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to many for review. Not primarily for legal assistance.
BOX_NUM : 3
FOLDERNO : 8

Document 217 of 501

BATES_RANGE : MRK-AKU0021149-MRK-AKU0021151
ATTACHMENTS : Attached to MRK-AKU0021148-MRK-AKU0021148
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/11/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Simpson, Sandra L.; Blois, David W.; Gertz, Barry J.; Greene, Douglas Alan; Kornowski, Sophie; Schecter, Adam H.

DESCRIPTION : Draft Healthcare Provider letter reflecting a request for legal advice and opinions regarding VIGOR study.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged. The comments on the attachment are also not privileged because they have not been identified.

BOX_NUM : 3
FOLDERNO : 8

Document 218 of 501

BATES_RANGE : MRK-AKU0021157-MRK-AKU0021157
ATTACHMENTS : Attaching MRK-AKU0021158-MRK-AKU0021160
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/11/02
AUTHOR : Simpson, Sandra L.
RECIPIENT : Lahner, Joanne*; Blois, David W. cc: Berwick, Gerry Joy*; Gertz, Barry J.; Reicin, Alise S.; Greene, Douglas Alan; Ruef, Tim F.; Kornowski, Sophie; plus others from distribution list

DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft letter to health care providers.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.
First message sent to many for comment. Not primarily for legal assistance.
Second message sent to two (one a lawyer) and copied to many others. Not primarily for legal

assistance.
BOX_NUM : 3
FOLDERNO : 8

Document 219 of 501

BATES_RANGE : MRK-AKU0021158-MRK-AKU0021160
ATTACHMENTS : Attached to MRK-AKU0021157-MRK-AKU0021157
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/11/02
AUTHOR : Simpson, Sandra L.
RECIPIENT : Lahner, Joanne*; Blois, David W. cc: Berwick, Gerry Joy*; Gertz, Barry J.; Reicin, Alise S.;
Greene, Douglas Alan; Ruef, Tim F.; Kornowski, Sophie; plus others from distribution list
DESCRIPTION : Draft Healthcare Provider letter reflecting a request for legal advice and opinions regarding
VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communicaiton is not a privileged communication. The
comments on the attachment have not ben identified as having come from Lahner. If
established as hers they may be redacted before production.

BOX_NUM : 3
FOLDERNO : 8

Document 220 of 501

BATES_RANGE : MRK-AKU0030024-MRK-AKU0030024
ATTACHMENTS : Attaching MRK-AKU0030025-MRK-AKU0030025
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft chronology of events.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 7

Document 221 of 501

BATES_RANGE : MRK-AKU0030025-MRK-AKU0030025
ATTACHMENTS : Attached to MRK-AKU0030024-MRK-AKU0030024
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Draft table reflecting legal advice and opinions regarding chronology of key events.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 7

Document 222 of 501

BATES_RANGE : MRK-AKU0030130-MRK-AKU0030131
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/02/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft letter in response to Medical Letter.

Amended Special Master Recommended Ruling - PSC "600"

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 3
FOLDERNO : 7

Document 223 of 501

BATES_RANGE : MRK-AKU0075086-MRK-AKU0075086
ATTACHMENTS : Attaching MRK-AKU0075087-MRK-AKU0075107
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/23/01
AUTHOR : Chitty, Dawn
RECIPIENT : Benezra-Kurshan, Diane; Lahner, Joanne*; El-Dada, Riad H.; Reicin, Alise S.; Cohn, Judith; Silverman, Robert E.; Simon, Thomas J.; Bold, Thomas M.; Simpson, Sandra L. cc: Casola, Tom M.; Rode, Robert J.; Truitt, Ken E.; Watson, Douglas J.; Braunstein, Ned; plus others from distribution list

DESCRIPTION : Printed e-mail reflecting a request for legal advice and opinions regarding draft label dealing with VIGOR study.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Not primarily for legal advice. Lawyer one of many to receive message.
BOX_NUM : 3
FOLDERNO : 7

Document 224 of 501

BATES_RANGE : MRK-AKU0075087-MRK-AKU0075107
ATTACHMENTS : Attached to MRK-AKU0075086-MRK-AKU0075086
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/23/01
AUTHOR : Chitty, Dawn
RECIPIENT : Benezra-Kurshan, Diane; Lahner, Joanne*; El-Dada, Riad H.; Reicin, Alise S.; Cohn, Judith; Silverman, Robert E.; Simon, Thomas J.; Bold, Thomas M.; Simpson, Sandra L. cc: Casola, Tom M.; Rode, Robert J.; Truitt, Ken E.; Watson, Douglas J.; Braunstein, Ne

DESCRIPTION : Draft label reflecting legal advice and opinions regarding study data.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but lawyer's comments may be redacted before production.
BOX_NUM : 3
FOLDERNO : 7

Document 225 of 501

BATES_RANGE : MRK-AKU0076258-MRK-AKU0076289
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/24/02
AUTHOR : Chitty, Dawn
RECIPIENT : Henshall, Ronald S.*; Lahner, Joanne*; Benezra-Kurshan, Diane; Bold, Thomas M.; Bolognese, James A.; Cifelli, Sam; El-Dada, Riad H.; Gertz, Barry J.; Goldmann, Bonnie J.; Greene, Douglas Alan; plus others from distribution list cc: Ruppi, Virginia F.; Braunstein, Ned S.; Cohn, Judith

DESCRIPTION : Draft package circular for Vioxx with handwritten comments of Lahner, Joanne* reflecting legal advice and opinions regarding proposals from an FDA teleconference.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : As an attachment to a mixed purpose communication, it is not privileged, but the lawyer's

comments may be redacted before it is produced.
BOX_NUM : 3
FOLDERNO : 7

Document 226 of 501

BATES_RANGE : MRK-AKU0095327-MRK-AKU0095327
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/12/00
AUTHOR : Roberts, Rick
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J.; Silverman, Robert E.; Geba, Greg P.; Dixon, Mary; Beauchard, Lucine E.; Dobbins, Thomas W.; Reiss, Sandra; Rode, Robert J.; El-Dada, Riad H.; Roberts, Rick
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VACT 2 study.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Does not reveal legal advice, and discloses that both a lawyer and a non-lawyer are scheduled to do something. This is mixed in purpose and therefore not privileged.
BOX_NUM : 3
FOLDERNO : 7

Document 227 of 501

BATES_RANGE : MRK-AQO0098705-MRK-AQO0098705
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/25/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Mortensen, Eric R. cc: Simon, Thomas; Callegari, Peter E.; Norman, Barbara; Block, Gilbert A.; Loftus, Susan; Truitt, Ken
DESCRIPTION : Printed e-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding Vioxx press release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 8

Document 228 of 501

BATES_RANGE : MRK-AQO0175406-MRK-AQO0175406
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/25/01
AUTHOR : Mortensen, Eric R.
RECIPIENT : Truitt, Ken; Reicin, Alise S. cc: Simon, Thomas; Callegari, Peter E.; Norman, Barbara A.; Block, Gilbert A.; Loftus, Susan
DESCRIPTION : E-mail reflecting a request for the legal advice and opinions of Lahner, Joanne* regarding Merck press release concerning NYT article on Vioxx.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 8

Document 229 of 501

BATES_RANGE : MRK-AQO0175407-MRK-AQO0175408
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/25/01
AUTHOR : Reicin, Alise S.

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Mortensen, Eric R.; Truitt, Ken cc: Norman, Barbara A.; Callegari, Peter E.; Block, Gilbert A.; Loftus, Susan
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding draft Vioxx press release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 3
FOLDERNO : 8

Document 230 of 501

BATES_RANGE : MRK-AQO0175409-MRK-AQO0175410
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/25/01
AUTHOR : Mortensen, Eric R.
RECIPIENT : Reicin, Alise S.; Truitt, Ken cc: Norman, Barbara A.*; Simon, Thomas; Block, Gilbert A.; Callegari, Peter E.; Fanelle, Christine; Loftus, Susan
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding draft Vioxx press release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 3
FOLDERNO : 8

Document 231 of 501

BATES_RANGE : MRK-AQO0175415-MRK-AQO0175417
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/25/01
AUTHOR : Norman, Barbara A.
RECIPIENT : Mortensen, Eric R.; Reicin, Alise S.; Truitt, Ken cc: Simon, Thomas; Callegari, Peter E.; Block, Gilbert A.; Fanelle, Christine; Reines, Scott A.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding draft Vioxx press release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 3
FOLDERNO : 8

Document 232 of 501

BATES_RANGE : MRK-AQO0175438-MRK-AQO0175439
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Mortensen, Eric R. cc: Simon, Thomas; Callegari, Peter E.; Norman, Barbara; Loftus, Susan; Block, Gilbert A.; Truitt, Ken
DESCRIPTION : E-mail reflecting a request for the legal advice and opinions of Lahner, Joanne* regarding draft Vioxx press release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 3
FOLDERNO : 8

Document 233 of 501

BATES_RANGE : MRK-ARF0132438-MRK-ARF0132444
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/09/01
AUTHOR : Ruef, Tim
RECIPIENT : Altmeyer, Anne; Malloy, Tracey cc: Grosser, Karen; Roberts, Rick M.; El-Dada, Riad H.; Moan, Andreas; Reicin, Alise S.
DESCRIPTION : Draft table reflecting legal advice and opinions regarding key issues concerning VIOXX marketing and public relations strategies.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Redaction not privileged as to first part through "01-Oct-01" - Denied. Remainder of redaction - Granted.
BOX_NUM : 3
FOLDERNO : 7

Document 234 of 501

BATES_RANGE : MRK-ARP0053715-MRK-ARP0053715
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/25/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Mortensen, Eric R. cc: Simon, Thomas; Callegari, Peter E.; Norman, Barbara; Block, Gilbert A.; Loftus, Susan; Truitt, Ken
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding draft Vioxx press release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 8

Document 235 of 501

BATES_RANGE : MRK-AVE0002162-MRK-AVE0002163
ATTACHMENTS : Attaching MRK-AVE0002180-MRK-AVE0002182
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/21/01
AUTHOR : Not Available
RECIPIENT : Beauchard, Lucine; Braunstein, Ned; El-Dada, Riad; Geba, Gregory; Grosser, Karen; Johnson, Patricia; Malloy, Tracey; Moan, Andreas; Reicin, Alise; Ruef, Tim; plus others from distribution list cc: Panzer, Curtis C.*; Altmeyer, Anne; Beskar, Emilie; Bisset, Robert T.*; Chang, David J.; Chapman, J.; plus others from distribution list
DESCRIPTION : Distribution list reflecting a request for legal advice and opinions of Lahner, Joanne* regarding ADVANTAGE data.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 3
FOLDERNO : 7

Document 236 of 501

BATES_RANGE : MRK-AVE0002180-MRK-AVE0002182
ATTACHMENTS : Attached to MRK-AVE0002162-MRK-AVE0002163
PRIV_CLAIM : Attorney-Client Privilege

Amended Special Master Recommended Ruling - PSC "600"

DATE : 02/21/01
AUTHOR : Reicin, Alise S.; Sperling, Rhoda
RECIPIENT : Beauchard, Lucine; Braunstein, Ned; El-Dada, Riad; Geba, Gregory; Grosser, Karen; Johnson, Patricia; Malloy, Tracey; Moan, Andreas; Reicin, Alise; Ruef, Tim; plus others from distribution list cc: Panzer, Curtis C.*; Altmeyer, Anne; Beskar, Emilie; Bisset, Robert T.*; Chang, David J.; Chapman, J.; plus others from distribution list
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding materials for core publications.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted
BOX_NUM : 3
FOLDERNO : 7

Document 237 of 501

BATES_RANGE : MRK-AAC0045568-MRK-AAC0045569
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/11/02
AUTHOR : Fanelle, Christine
RECIPIENT : Roberts, Rick M.; Cannell, Thomas R.; Laux, Jennifer I.; Kasperzik, Jens H.; Ruef, Tim F.; Kornowski, Sophie; Vignau, Steven R.; Reicin, Alise S.; Gertz, Barry J. cc: Lahner, Joanne*; Silverstein, Leonard I.; Melin, Jeffrey M.; Ritchie, Candace K.; Reaves, Gregory E.; Wainwright, Joan; Weiner, Jan D.; Redmond, Mary H.; Stejbach, Mark P.; Jordan, Laura J.; Wambold, Deb; Merkle, Maureen; Eisele, Pamela L.; Ogden, Tracy C.; Dunn, Jim; Iwicki, Suzanne
DESCRIPTION : E-mail reflecting a request for legal advice and opinions from Legal* regarding publication of Merck's intent to conduct CV clinical trials.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted on p. 45568
BOX_NUM : 4
FOLDERNO : 8

Document 238 of 501

BATES_RANGE : MRK-AAC0086764-MRK-AAC0086764
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/09/02
AUTHOR : Sperling, Rhoda incorporating an email to Lahner, Joanne*
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding viox-edema draft manuscript.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message to Lahner asks for comments to be reviewed - Granted.
Second message complaining about Lahner is Granted.
Last two messages- Denied. No legal advice is disclosed. Suggested conference call is not privileged information about the attorney-client relationship.
BOX_NUM : 4
FOLDERNO : 8

Document 239 of 501

BATES_RANGE : MRK-AAC0087035-MRK-AAC0087035
ATTACHMENTS : Attaching MRK-AAC0087036-MRK-AAC0087064
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/11/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Sperling, Rhoda cc: Reicin, Alise S.; Gertz, Barry J.; Thompson, Caroline J.

Amended Special Master Recommended Ruling - PSC "600"

DESCRIPTION : E-mail reflecting client confidences, legal advice and opinions regarding draft Vioxx product circular.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 240 of 501

BATES_RANGE : MRK-AAC0087036-MRK-AAC0087064
ATTACHMENTS : Attached to MRK-AAC0087035-MRK-AAC0087035
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/11/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Sperling, Rhoda cc: Reicin, Alise S.; Gertz, Barry J.; Thompson, Caroline J.
DESCRIPTION : Draft manuscript reflecting legal advice and opinions regarding osteoarthritis patients.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 241 of 501

BATES_RANGE : MRK-AAD0019753-MRK-AAD0019753
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/08/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Facsimile reflecting a request for legal advice and opinions regarding draft VIGOR paper.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 242 of 501

BATES_RANGE : MRK-AAD0172769-MRK-AAD0172769
ATTACHMENTS : Attaching MRK-AAD0172770-MRK-AAD0172773
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Ruef, T
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft letter to healthcare professionals dealing with VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message is not to lawyers - DENIED. Second message is mixed in purpose because it is sent to both lawyers and non-lawyers - DENIED. Third e-mail from Lahner - GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 243 of 501

BATES_RANGE : MRK-AAD0172770-MRK-AAD0172773
ATTACHMENTS : Attached to MRK-AAD0172769-MRK-AAD0172769
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan;

Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Kornowski, Sophie; Ruef, Tim F.
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding VIGOR study relating to prescribing and patient product information.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 4
FOLDERNO : 8

Document 244 of 501

BATES_RANGE : MRK-AAD0185776-MRK-AAD0185776
ATTACHMENTS : Attaching MRK-AAD0185777-MRK-AAD0185805
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/09/02
AUTHOR : Sperling, Rhoda. Incorporating email to Lahner, Joanne*.
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft edema manuscript.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message to Lahner asks for comments to be reviewed - Granted.
Second message complaining about Lahner is Granted.
Last two messages-Denied. No legal advice is disclosed. Suggested conference call is not privileged information about the attorney-client relationship.

BOX_NUM : 4
FOLDERNO : 8

Document 245 of 501

BATES_RANGE : MRK-AAD0185777-MRK-AAD0185805
ATTACHMENTS : Attached to MRK-AAD0185776-MRK-AAD0185776
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/09/02
AUTHOR : Sperling, Rhoda. Incorporating e-mail to Lahner, Joanne*
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.
DESCRIPTION : Draft manuscript reflecting client confidences and legal advice and opinions regarding edema and hypertension study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 246 of 501

BATES_RANGE : MRK-AAD0407331-MRK-AAD0407331
ATTACHMENTS : Attaching MRK-AAD0407332-MRK-AAD0407341
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/08/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Facsimile reflecting a request for legal advice and opinions regarding draft VIGOR paper.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Amended Special Master Recommended Ruling - PSC "600"

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BATES_RANGE : MRK-AAD0407332-MRK-AAD0407341
ATTACHMENTS : Attached to MRK-AAD0407331-MRK-AAD0407331
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/08/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting request for legal advice and opinions regarding VIGOR paper submission to New England Journal of Medicine.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 4
FOLDERNO : 8

Document 248 of 501

BATES_RANGE : MRK-ABD0001979-MRK-ABD0001985
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Blake, Mary E.
RECIPIENT : Frazier, Kenneth C.*; Reicin, Alise S.; Slater, Eve E. cc: Distlerath, Linda; Hirsch, Laurence J.; Jordan, Laura J.; Kaufman, Art; Reaves, Gregory E.; Skidmore, Janet; Weiner, Jan D.
DESCRIPTION : Draft public relations materials regarding the VIGOR study reflecting client confidences and a request for legal advice and opinions.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : E-mail and attachment were sent to one lawyer and two non-lawyers. Not primarily for legal advice or assistance.
BOX_NUM : 4
FOLDERNO : 8

Document 249 of 501

BATES_RANGE : MRK-ABD0003255-MRK-ABD0003255
ATTACHMENTS : Attaching MRK-ABD0003256-MRK-ABD0003259
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/11/00
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Dixon, Wendy L.; Gertz, Barry J.; Greene, Douglas Alan; Lahner, Joanne*; Nies, Alan S.; Slater, Eve E.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft correspondence regarding COX-2 inhibitors and JAMA.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message and attachment sent to many only one of whom was a lawyer - not primarily for legal assistance.
BOX_NUM : 4
FOLDERNO : 8

Document 250 of 501

BATES_RANGE : MRK-ABD0003256-MRK-ABD0003259
ATTACHMENTS : Attached to MRK-ABD0003255-MRK-ABD0003255
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/11/00
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Dixon, Wendy L.; Gertz, Barry J.; Greene, Douglas Alan; Lahner, Joanne*; Nies, Alan S.; Slater,

Eve E.
DESCRIPTION : Draft correspondence reflecting client confidences and a request for legal advice and opinions re: COX-2 and JAMA.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 4
FOLDERNO : 8

Document 251 of 501

BATES_RANGE : MRK-ABI0007318-MRK-ABI0007319
ATTACHMENTS : Attaching MRK-ABI0007320-MRK-ABI0007322
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/27/01
AUTHOR : Reicin, Alise S. incorporating E-mail cced: to Lahner, Joanne*
RECIPIENT : Weiner, Jan D.; Frazier, Kenneth C.*; Wainwright, Joan; Reaves, Gregory E.; Dixon, Wendy L.; Beauchard, Lucine E.; Blake, Mary Elizabeth; Greene, Douglas Alan
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIGOR study issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Reicin is not seeking advice from Lahner in this redaction. She is noting her acceptance and approval.
BOX_NUM : 4
FOLDERNO : 8

Document 252 of 501

BATES_RANGE : MRK-ABI0007335-MRK-ABI0007335
ATTACHMENTS : Attaching MRK-ABI0007336-MRK-ABI0007337
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/22/01
AUTHOR : Baran, Lindy
RECIPIENT : Scolnick, Edward M.; Santoro, Wendy cc: Delissio, Maggie; Getty, Carol; Greene, Douglas Alan; Reicin, Alise S.; Dixon, Wendy L.; Sherwood, Louis M.; Anstice, David W.; Rowan, Jean A.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft correspondence about VIOXX data.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 253 of 501

BATES_RANGE : MRK-ABI0007336-MRK-ABI0007337
ATTACHMENTS : Attached to MRK-ABI0007335-MRK-ABI0007335
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/22/01
AUTHOR : Baran, Lindy
RECIPIENT : Scolnick, Edward M.; Santoro, Wendy cc: Delissio, Maggie; Getty, Carol; Greene, Douglas Alan; Reicin, Alise S.; Dixon, Wendy L.; Sherwood, Louis M.; Anstice, David W.; Rowan, Jean A.
DESCRIPTION : Draft correspondence reflecting client confidences and legal advice regarding study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 254 of 501

BATES_RANGE : MRK-ABX0026103-MRK-ABX0026103
ATTACHMENTS : Attaching MRK-ABX0026104-MRK-ABX0026107
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan;
Honig, Peter K.; Kornowski, Sophie P.; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.;
White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Ruef Tim
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft letter to healthcare professionals
dealing with VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message is not to lawyers - DENIED. Second message is mixed in purpose because it is
sent to both lawyers and non-lawyers - DENIED. Third e-mail from Lahner - GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 255 of 501

BATES_RANGE : MRK-ABX0026104-MRK-ABX0026107
ATTACHMENTS : Attached to MRK-ABX0026103-MRK-ABX0026103
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan;
Honig, Peter K.; Kornowski, Sophie P.; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.;
White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Ruef, Timothy F.
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding VIGOR study relating to
prescribing and patient product information.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 4
FOLDERNO : 8

Document 256 of 501

BATES_RANGE : MRK-ACC0019671-MRK-ACC0019671
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/10/02
AUTHOR : Reicin, Alise S. incorporating e-mail from Sperling, Rhoda to Lahner, Joanne*
RECIPIENT : Sperling, Rhoda cc: Gertz, Barry J.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding a manuscript about
vioxx, edema and hypertension.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message to Lahner asks for
comments to be reviewed - Granted.
Second message complaining about Lahner is Granted.
Last two messages-Denied. No legal advice is disclosed. Suggested conference call is not
privileged information about the attorney-client relationship.
BOX_NUM : 4
FOLDERNO : 8

Document 257 of 501

BATES_RANGE : MRK-ACD0041355-MRK-ACD0041355
ATTACHMENTS : Attaching MRK-ACD0041356-MRK-ACD0041359

Amended Special Master Recommended Ruling - PSC "600"

PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; plus others from distribution list
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft letter to healthcare professionals dealing with VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message is not to lawyers - DENIED. Second message is mixed in purpose because it is sent to both lawyers and non-lawyers - DENIED. Third e-mail from Lahner - GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 258 of 501

BATES_RANGE : MRK-ACD0041356-MRK-ACD0041359
ATTACHMENTS : Attached to MRK-ACD0041355-MRK-ACD0041355
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; plus others from distribution list
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding VIGOR study relating to prescribing and patient product information.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 4
FOLDERNO : 8

Document 259 of 501

BATES_RANGE : MRK-ACD0101796-MRK-ACD0101806
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/22/02
AUTHOR : Eisele, Pamela L.; Fanelle, Christine
RECIPIENT : Reicin, Alise S.; Silverman, Robert E.; Braunstein, Ned S.
DESCRIPTION : Draft public relations document reflecting a request for legal advice and opinions regarding regulatory and public relations issues arising in media inquiries.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 4
FOLDERNO : 8

Document 260 of 501

BATES_RANGE : MRK-ACI0000008-MRK-ACI0000008
ATTACHMENTS : Attaching MRK-ACI0000009-MRK-ACI0000011
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Fanelle, Christine J.
RECIPIENT : Lahner, Joanne*; Casola, Thomas M.; Silverman, Robert E. cc: Schechter, Adam H.; Wainwright, Joan; Colbert, Celia A.*; Gertz, Barry J.; Reicin, Alise S.; Weiner, Jan D.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft press release re: journal Science article on genetically altered mice.
W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : DENIED
SM_REC_EXPL : Message sent to a lawyer and two non-lawyers with copies to many. Primary purpose of message and attachment was not obtaining legal advice.
BOX_NUM : 4
FOLDERNO : 8

Document 261 of 501

BATES_RANGE : MRK-ACI0000009-MRK-ACI0000011
ATTACHMENTS : Attached to MRK-ACI0000008-MRK-ACI0000008
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/08/02
AUTHOR : Fanelle, Christine J.
RECIPIENT : Lahner, Joanne*; Casola, Thomas M.; Silverman, Robert E. cc: Schechter, Adam H.; Wainwright, Joan; Colbert, Celia A.*; Gertz, Barry J.; Reicin, Alise S.; Weiner, Jan D.
DESCRIPTION : Draft public relations document regarding Vigor study results reflecting a request for legal advice and opinions.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 4
FOLDERNO : 8

Document 262 of 501

BATES_RANGE : MRK-ACO0013525-MRK-ACO0013525
ATTACHMENTS : Attaching MRK-ACO0013526-MRK-ACO0013529
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Kornowski, Sophie; Ruef, Tim F.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft letter to healthcare professionals dealing with VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message is not to lawyers - DENIED. Second message is mixed in purpose because it is sent to both lawyers and non-lawyers - DENIED. Third e-mail from Lahner - GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 263 of 501

BATES_RANGE : MRK-ACO0013526-MRK-ACO0013529
ATTACHMENTS : Attached to MRK-ACO0013525-MRK-ACO0013525
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Kornowski, Sophie; Ruef, Tim F.
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding VIGOR study relating to prescribing and patient product information.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 4
FOLDERNO : 8

Document 264 of 501

BATES_RANGE : MRK-ACR0012738-MRK-ACR0012739
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/28/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Weiner, Jan D.; Frazier, Kenneth C.*; Wainwright, Joan; Reaves, Gregory E.; Dixon, Wendy L.;
Beauchard, Lucine E.; Blake, Mary Elizabeth; Greene, Douglas Alan
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding public relations issues related
to questions on VIGOR.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 4
FOLDERNO : 8

Document 265 of 501

BATES_RANGE : MRK-ACR0020826-MRK-ACR0020826
ATTACHMENTS : Attaching MRK-ACR0020827-MRK-ACR0020830
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan;
Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.;
White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Kornowski, Sophie; Ruef, Tim F.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft letter to healthcare professionals
dealing with VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message is not to lawyers - DENIED. Second message is mixed in purpose because it is
sent to both lawyers and non-lawyers - DENIED. Third e-mail from Lahner - GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 266 of 501

BATES_RANGE : MRK-ACR0020827-MRK-ACR0020830
ATTACHMENTS : Attached to MRK-ACR0020826-MRK-ACR0020826
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan;
Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.;
White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Kornowski, Sophie; Ruef, Tim F.
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding VIGOR study relating to
prescribing and patient product information.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 4
FOLDERNO : 8

Document 267 of 501

BATES_RANGE : MRK-ACT0005289-MRK-ACT0005290
PRIV_CLAIM : Attorney-Client Privilege

Amended Special Master Recommended Ruling - PSC "600"

DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research study agreement with Brigham and Women's Hospital.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Document is from a non-lawyer and a lawyer. It is not primarily providing legal advice-DENIED. Paragraph addressing "Legal Risk" -GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 268 of 501

BATES_RANGE : MRK-ACT0006688-MRK-ACT0006689
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research study agreement with Brigham and Women's Hospital.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Document is from a non-lawyer and a lawyer. It is not primarily providing legal advice-DENIED. Paragraph addressing "Legal Risk" -GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 269 of 501

BATES_RANGE : MRK-ACT0007065-MRK-ACT0007066
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research study agreement with Brigham and Women's Hospital.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Document is from a non-lawyer and a lawyer. It is not primarily providing legal advice-DENIED. Paragraph addressing "Legal Risk" -GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 270 of 501

BATES_RANGE : MRK-ACT0007830-MRK-ACT0007831
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research

study agreement with Brigham and Women's Hospital.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Document is from a non-lawyer and a lawyer. It is not primarily providing legal advice-DENIED.
Paragraph addressing "Legal Risk" -GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 271 of 501

BATES_RANGE : MRK-ACT0007832-MRK-ACT0007833
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research study agreement with Ingenix Pharmaceutical Services.

W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Document is from a non-lawyer and a lawyer. It is not primarily providing legal advice-DENIED.
Paragraph addressing "Legal Risk" -GRANTED.
BOX_NUM : 4
FOLDERNO : 8

Document 272 of 501

BATES_RANGE : MRK-ACW0001199-MRK-ACW0001199
ATTACHMENTS : Attaching MRK-ACW0001200-MRK-ACW0001203
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/23/00
AUTHOR : Ogden, Tracy C.
RECIPIENT : Lahner, Joanne*; Rode, Robert J.; Reicin, Alise S. cc: Blake, Mary Elizabeth; Shank-Samiec, Dolores M.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft news release dealing with VIGOR.

W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to several only one of whom is a lawyer. Its primary purpose was not to obtain legal advice.
BOX_NUM : 4
FOLDERNO : 8

Document 273 of 501

BATES_RANGE : MRK-ACW0001200-MRK-ACW0001203
ATTACHMENTS : Attached to MRK-ACW0001199-MRK-ACW0001199
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/29/00
AUTHOR : Ogden, Tracy C.
RECIPIENT : Lahner, Joanne*; Rode, Robert J.; Reicin, Alise S. cc: Blake, Mary Elizabeth; Shank-Samiec, Dolores M.
DESCRIPTION : Draft public relations document reflecting a request for legal advice and opinions regarding Vigor study presentation issues.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a

lawyer may be redacted before production.
BOX_NUM : 4
FOLDERNO : 8

Document 274 of 501

BATES_RANGE : MRK-ACW0001226-MRK-ACW0001227
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/24/00
AUTHOR : Basaman, Mary Elizabeth
RECIPIENT : Stenn, Tracy C. incorporating an email from Stenn, Tracy to Lahner, Joanne*; Rode, Robert J.; Reicin, Alise S. cc:Stenn, Tracy; Wambold, Deb
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding Vigor news release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : First redaction, first part of sentence before "--" - DENIED.
Last part of sentence, following "--" -GRANTED.
Second redaction-DENIED except for bracketed portion at end of first sentence - GRANTED.

BOX_NUM : 4
FOLDERNO : 8

Document 275 of 501

BATES_RANGE : MRK-ACW0002394-MRK-ACW0002394
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Distlerath, Linda M.
RECIPIENT : Reicin, Alise S.; Slater, Eve E.; Frazier, Kenneth C.*; Hirsch, Laurence J. cc: Weiner, Jan D.; Blake, Mary Elizabeth
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding Draft VIGOR Q & A language issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to many for comment-not primarily for legal advice.
BOX_NUM : 4
FOLDERNO : 8

Document 276 of 501

BATES_RANGE : MRK-ACW0002395-MRK-ACW0002395
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Frazier, Kenneth C.*
RECIPIENT : Reicin, Alise S.; Slater, Eve E.; Hirsch, Laurence J.; Distlerath, Linda M. cc: Weiner, Jan D.; Blake, Mary Elizabeth
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIGOR Q & A document.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to many for comment-not primarily for legal advice. Last message from Frazier comments on data and changing protocol-does not appear to be primarily legal.
BOX_NUM : 4
FOLDERNO : 8

Document 277 of 501

BATES_RANGE : MRK-ACX0005361-MRK-ACX0005361
ATTACHMENTS : Attaching MRK-ACX0005362-MRK-ACX0005364
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/17/00
AUTHOR : Bazmi, Babak

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Abrahamson, David; Sherwood, Louis M. cc: Reicin, Alise S.; Reiss, Sandra Marie; El-Dada, Riad H.; Beauchard, Lucine E.
DESCRIPTION : Teleconference reflecting a request for legal advice and opinions from Lahner, Joanne* regarding VA meeting.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 4
FOLDERNO : 8

Document 278 of 501

BATES_RANGE : MRK-ACX0005362-MRK-ACX0005364
ATTACHMENTS : Attached to MRK-ACX0005361-MRK-ACX0005361
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/17/00
AUTHOR : Bazmi, Babak, incorporating email from Lahner, Joanne*
RECIPIENT : Abrahamson, David; Sherwood, Louis M. cc: Reicin, Alise S.; Reiss, Sandra Marie; El-Dada, Riad H.; Beauchard, Lucine E.
DESCRIPTION : Draft document representing potential questions and responses regarding Vigor trial.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 4
FOLDERNO : 8

Document 279 of 501

BATES_RANGE : MRK-ADI0012357-MRK-ADI0012357
ATTACHMENTS : Attaching MRK-ADI0012358-MRK-ADI0012359
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/02/00
AUTHOR : Blake, Mary Elizabeth
RECIPIENT : Lahner, Joanne*; Reicin, Alise S. cc: Distlerath, Linda; Weiner, Jan D.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding VIGOR aspirin news release.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 280 of 501

BATES_RANGE : MRK-ADI0012358-MRK-ADI0012359
ATTACHMENTS : Attached to MRK-ADI0012357-MRK-ADI0012357
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/02/00
AUTHOR : Blake, Mary Elizabeth
RECIPIENT : Lahner, Joanne*; Reicin, Alise S. cc: Distlerath, Linda; Weiner, Jan D.
DESCRIPTION : Draft public relations document reflecting legal advice and opinions regarding possible press release.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 281 of 501

BATES_RANGE : MRK-ADI0012778-MRK-ADI0012782
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/12/00
AUTHOR : Basaman, Mary Elizabeth incorporating email from Lahner, Joanne* to Morrison, Briggs;

Mortensen, Eric R.; Evans, Jilly; Weiner, Jan D.; Beskar, Emilie and cc: Basaman, Mary Elizabeth; Jordan Laura J.
RECIPIENT : Weiner, Jan D. cc: Jordan, Laura J.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding responses to ABC news inquiry.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. E-mail thread is generally not primarily for legal assistance. First two messages sent to many for comment-not primarily for legal advice. DENIED.
Third message from Lahner-GRANTED.
Fourth message not even sent to an attorney and does not reveal legal advice. DENIED.
BOX_NUM : 4
FOLDERNO : 8

Document 282 of 501

BATES_RANGE : MRK-ADI0014428-MRK-ADI0014429
ATTACHMENTS : Attaching MRK-ADI0014430-MRK-ADI0014432
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/03/00
AUTHOR : Kaufman, Art incorporating email from Basaman, Mary E. to Lahner, Joanne* and Reicin, Alise
RECIPIENT : Blake, Mary Elizabeth cc: Weiner, Jan D.; McKinney, Errol S.; Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding press release.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread not listed on privilege log. First message and attachment not sent to attorney-not for legal advice. Second message sent to both attorney and non-attorney, therefore not primarily for legal advice. Third message from Lahner seems more policy than legal. Fourth message to lawyer and non-lawyer. Therefore, not primarily for legal advice. Remaining three messages were not sent to a lawyer. Legal advice was not their purpose.
BOX_NUM : 4
FOLDERNO : 8

Document 283 of 501

BATES_RANGE : MRK-ADI0014430-MRK-ADI0014432
ATTACHMENTS : Attached to MRK-ADI0014428-MRK-ADI0014429
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/03/00
AUTHOR : Kaufman, Art incorporating e-mail to Lahner, Joanne*
RECIPIENT : Blake, Mary Elizabeth cc: Weiner, Jan D.; McKinney, Errol S.; Reicin, Alise S.
DESCRIPTION : Draft public relations document reflecting legal advice and opinions of Lahner, Joanne* regarding possible press release.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 4
FOLDERNO : 8

Document 284 of 501

BATES_RANGE : MRK-ADI0019420-MRK-ADI0019420
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/13/00
AUTHOR : Ogden, Tracy C.
RECIPIENT : Evans, Jilly; Kargman, Stacia; Morrison, Briggs W.; Mortensen, Eric R.; Simon, Thomas J.; Hirsch, Laurence J. cc: Weiner, Jan D.; Blake, Mary Elizabeth; Beskar, Emilie S.; Jordan, Laura J.; Redmond, Mary H.
DESCRIPTION : E-mail reflecting Joanne Lahner's* legal advice and opinions regarding standby statement and

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Q&A on colon cancer studies.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 285 of 501

BATES_RANGE : MRK-ADJ0015564-MRK-ADJ0015568
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/01/02
AUTHOR : Ogden, Tracy C.
RECIPIENT : Reicin, Alise S. cc: Weiner, Jan D.; Fanelle, Christine
DESCRIPTION : Draft public relations document reflecting legal advice and opinions regarding MRL briefing script on Vioxx labeling changes.

W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 4
FOLDERNO : 8

Document 286 of 501

BATES_RANGE : MRK-ADM0077673-MRK-ADM0077673
ATTACHMENTS : Attaching MRK-ADM0077674-MRK-ADM0077675
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Colbert, Celia A.*
RECIPIENT : Henshall, Ronald S*; Gregory, Suzanne*; Lahner, Joanne*; Scolnick, Edward M; Kim, Peter S; Greene, Douglas; Gertz, Barry; Braunstein, Ned; Bolton, Anne H; Powell, Elizabeth; cc: Frazier, Kenneth C.*

DESCRIPTION : E-mail reflecting legal advice and opinions regarding label changes to Vioxx and confidentiality issues.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 287 of 501

BATES_RANGE : MRK-ADM0077674-MRK-ADM0077675
ATTACHMENTS : Attached to MRK-ADM0077673-MRK-ADM0077673
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Colbert, Celia A.*
RECIPIENT : El-Dada, Riad; Henshall, Ron*; Lahner, Joanne*; Lewis, Suzanne Gregory*, Reicin, Alise; Weiner, Jan; Wambold, Deb; Bell, Paul; Casola, Tom; Warner, Gray and others in the distribution list.

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding trading restrictions in Merck securities.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 288 of 501

BATES_RANGE : MRK-ADO0042412-MRK-ADO0042413
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Summers, Scott A.

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Buttala, Michael A. noting advice being sought by Braunstein, Ned S.; Summers, Scott A.; Gertz, Barry J.; Reicin, Alise S. from Lahner, Joanne* cc: Schechter, Adam H.; Tacconi, Leonard J.; Cannell, Thomas R.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding HCP letter concerning label changes.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread not listed on the privilege log. First two messages only copied to Lahner-not primarily for legal assistance.
Last message from Lahner - Granted.

BOX_NUM : 4
FOLDERNO : 8

Document 289 of 501

BATES_RANGE : MRK-ADO0077228-MRK-ADO0077229
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Summers, Scott A.
RECIPIENT : Buttala, Michael A. noting advice being sought by Braunstein, Ned S.; Summers, Scott A.; Gertz, Barry J.; Reicin, Alise S. from Lahner, Joanne* cc: Schechter, Adam H.; Tacconi, Leonard J.; Cannell, Thomas R.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding HCP letter concerning label changes.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Whole e-mail thread not listed on the privilege log. First two messages only copied to Lahner-not primarily for legal assistance.
Last message from Lahner - Granted.

BOX_NUM : 4
FOLDERNO : 8

Document 290 of 501

BATES_RANGE : MRK-AFV0410867-MRK-AFV0410867
ATTACHMENTS : Attaching MRK-AFV0410868-MRK-AFV0410871
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie, J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Kornowski, Sophie; Ruef, Tim F.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft healthcare professional letter on label changes.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : First message is not to lawyers - DENIED. Second message is mixed in purpose because it is sent to both lawyers and non-lawyers - DENIED. Third e-mail from Lahner - GRANTED.

BOX_NUM : 4
FOLDERNO : 8

Document 291 of 501

BATES_RANGE : MRK-AFV0410868-MRK-AFV0410871
ATTACHMENTS : Attached to MRK-AFV0410867-MRK-AFV0410867
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan;

Honig, Peter K.; Kornowski, Sophie; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Kornowski, Sophie; Ruef, Tim F.
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding prescription information.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 4
FOLDERNO : 8

Document 292 of 501

BATES_RANGE : MRK-AFV0410872-MRK-AFV0410872
ATTACHMENTS : Attaching MRK-AFV0410873-MRK-AFV0410873
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Colbert, Celia A.*
RECIPIENT : Henshall, Ronald S.*; Lewis, Suzanne M. Gregory*; Lahner, Joanne*; Bolton, Anne H.*; Powell, Elizabeth A.*; Scolnick, Edward M.; Kim, Peter S.; Greene, Douglas Alan; Gertz, Barry J.; Reicin, Alise S.; Blois, David W.; Simpson, Sandra L.; Ogden, Tracy C.; plus others in distribution list cc: Frazier, Kenneth C.*

DESCRIPTION : E-mail reflecting legal advice and opinions regarding regulations surrounding Vioxx label changes.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 293 of 501

BATES_RANGE : MRK-AFV0410873-MRK-AFV0410873
ATTACHMENTS : Attached to MRK-AFV0410872-MRK-AFV0410872
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Colbert, Celia A.*
RECIPIENT : Henshall, Ronald S.*; Lewis, Suzanne Gregory*; Lahner, Joanne*; Scolnick, Edward M.; Gertz, Barry J.; Greene, Douglas Alan; Gertz, Barry J.; Braunstein, Ned S.; Goldmann, Bonnie J.; Silverman, Robert E.; plus others from distribution list

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding regulatory labeling and trading restrictions.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 294 of 501

BATES_RANGE : MRK-AHO0008903-MRK-AHO0008903
ATTACHMENTS : Attaching MRK-AHO0008904-MRK-AHO0008905 Attaching MRK-AHO0008906-MRK-AHO0008907 Attaching MRK-AHO0008908-MRK-AHO0008909 Attaching MRK-AHO0008910-MRK-AHO0008912
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/18/00
AUTHOR : Melin, Jeffrey
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Email reflecting a request for legal advice and opinions regarding VIGOR PIRs post-DDW results.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 4
FOLDERNO : 8

Document 295 of 501

BATES_RANGE : MRK-AHO0008904-MRK-AHO0008905
ATTACHMENTS : Attached to MRK-AHO0008903-MRK-AHO0008903
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/18/00
AUTHOR : Melin, Jeffrey
RECIPIENT : Lahner, Joanne*; cc: Reicin, Alise S.; Silverstein, Leonard
DESCRIPTION : Draft PIR document reflecting a request for legal advice and opinions regarding the results of the Vioxx Gastrointestinal Outcomes Research trial.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 296 of 501

BATES_RANGE : MRK-AHO0008906-MRK-AHO0008907
ATTACHMENTS : Attached to MRK-AHO0008903-MRK-AHO0008903
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/18/00
AUTHOR : Melin, Jeffrey
RECIPIENT : Lahner, Joanne* cc: Reicin, Alise S.; Silverstein, Leonard
DESCRIPTION : Draft PIR document reflecting a request for legal advice and opinions regarding the results of the Vioxx Gastrointestinal Outcomes Research trial.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 297 of 501

BATES_RANGE : MRK-AHO0008908-MRK-AHO0008909
ATTACHMENTS : Attached to MRK-AHO0008903-MRK-AHO0008903
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/18/00
AUTHOR : Melin, Jeffrey
RECIPIENT : Lahner, Joanne* cc:Reicin, Alice; Silverstein, Leonard
DESCRIPTION : Draft PIR document reflecting a request for legal advice and opinions regarding the results of the Vioxx Gastrointestinal Outcomes Research trial.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 298 of 501

BATES_RANGE : MRK-AHO0008910-MRK-AHO0008912
ATTACHMENTS : Attached to MRK-AHO0008903-MRK-AHO0008903
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/18/00
AUTHOR : Melin, Jeffrey
RECIPIENT : Lahner, Joanne* cc: Reicin, Alice; Silverstein, Leonard
DESCRIPTION : Draft PIR document reflecting a request for legal advice and opinions regarding the results of the Vioxx Gastrointestinal Outcomes Research trial.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 4
FOLDERNO : 8

Document 299 of 501

BATES_RANGE : MRK-AHO0120921-MRK-AHO0120921
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/01/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Ritchie, Candace, Silverman, Robert; CC: Melin, Jeffrey
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding PIR responses.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message to Lahner-GRANTED. Second message to Lahner-GRANTED. Third message- DENIED. Message not primarily for legal advice. It was sent to one lawyer and two non-lawyers and doesn't reveal content of Reicin message if construed as additional request for advice.

BOX_NUM : 4
FOLDERNO : 8

Document 300 of 501

BATES_RANGE : MRK-AHO0121112-MRK-AHO0121113
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/02/01
AUTHOR : Silverman, Robert
RECIPIENT : Lahner, Joanne*; Ritchie, Candace; Reicin, Alise; cc: Melin, Jeffrey M.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding PIR responses.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message to Lahner-GRANTED. Second message to Lahner-GRANTED. Third & fourth messages- DENIED. Message not primarily for legal advice. It was sent to one lawyer and two non-lawyers and doesn't reveal content of Reicin message if construed as additional request for advice.

BOX_NUM : 4
FOLDERNO : 8

Document 301 of 501

BATES_RANGE : MRK-AHR0094935-MRK-AHR0094935
ATTACHMENTS : Attaching MRK-AHR0094936-MRK-AHR0094941
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Bolton, Anne H.*; Quinlan, Michael D.* cc: Schwartz, Jules I.; Truitt, Ken E.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding providing appropriate responses to media for anticipated questions concerning viox and non-GI safety issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 302 of 501

BATES_RANGE : MRK-AHR0094936-MRK-AHR0094941
ATTACHMENTS : Attached to MRK-AHR0094935-MRK-AHR0094935
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Bolton, Anne H.*; Quinlan, Michael D.* cc: Schwartz, Jules I.; Truitt, Ken E.

Amended Special Master Recommended Ruling - PSC "600"

DESCRIPTION : Draft public relations document forwarded to Quinlan, Michael* and Bolton, Anne* for legal advice, review and opinions regarding CV issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 303 of 501

BATES_RANGE : MRK-AIY0112815-MRK-AIY0112815
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/01/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Ritchie, Candace K.; Silverman, Robert E. cc: Melin, Jeffrey M.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding public relations and VIGOR PIRs.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message to Lahner-GRANTED. Second message to Lahner-GRANTED. Third message-DENIED. Message not primarily for legal advice. It was sent to one lawyer and two non-lawyers and doesn't reveal content of Reicin message if construed as additional request for advice.

BOX_NUM : 4
FOLDERNO : 8

Document 304 of 501

BATES_RANGE : MRK-AIY0112817-MRK-AIY0112818
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/02/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Ritchie, Candace K. cc: Melin, Jeffrey M.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding public relations and VIGOR PIRs.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message to Lahner-GRANTED. Second message to Lahner-GRANTED. Third message-DENIED. Message not primarily for legal advice. It was sent to one lawyer and two non-lawyers and doesn't reveal content of Reicin message if construed as additional request for advice.

BOX_NUM : 4
FOLDERNO : 8

Document 305 of 501

BATES_RANGE : MRK-AKO0007918-MRK-AKO0007918
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/17/00
AUTHOR : Bazami, Babak
RECIPIENT : Abrahamson, David; Sherwood, Louis cc: Reicin, Alise S.; Reiss, Sandra; El-Dada, Riad H.; Beauchard, Lucine E.; incorporating e-mail with cc: Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIGOR study.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Reicin is not seeking advice from Lahner in this redaction. She is noting her acceptance and approval.
BOX_NUM : 4
FOLDERNO : 8

Document 306 of 501

BATES_RANGE : MRK-AKO0008215-MRK-AKO0008216
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/27/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Frazier, Kenneth C.*; Wainwright, Joan; Greene, Douglas; Dixon, Wendy L.; Reaves, Gregory E.; Beauchard, Lucine E.; Weiner, Jan D.; Basaman, Mary E.; incorporating e-mail to Lahner, Joanne*
DESCRIPTION : Memo reflecting a request for legal advice and opinions regarding VIGOR study.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Reicin is not seeking advice from Lahner in this redaction. She is noting her acceptance and approval.
BOX_NUM : 4
FOLDERNO : 8

Document 307 of 501

BATES_RANGE : MRK-AKU0005903-MRK-AKU0005905
ATTACHMENTS : Attaching MRK-AKU0005906-MRK-AKU0005907
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/15/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VA teleconference meetings and label negotiations for VIGOR.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 308 of 501

BATES_RANGE : MRK-AKU0005906-MRK-AKU0005907
ATTACHMENTS : Attached to MRK-AKU0005903-MRK-AKU0005905
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/15/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft questions document reflecting a request for legal advice and opinions regarding discussion topics for meeting with PBM/MAP and DoD representatives.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 309 of 501

BATES_RANGE : MRK-AKU0012874-MRK-AKU0012874
ATTACHMENTS : Attaching MRK-AKU0012875-MRK-AKU0012881
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/18/02
AUTHOR : Trinkle, Robert P.*
RECIPIENT : Cromley, David W.*; Lahner, Joanne*; Bigley, Frank P.*; Ralls-Morrison, Desiree Ann*; Gregory, Suzanne M.*; Giuliani, Elizabeth A.*; Olson, R. Brent*; Powell, Elizabeth A.*; Henshall, Ronald S.*; McGirr, Maureen E.*
DESCRIPTION : E-mail reflecting legal advice and opinions regarding press release.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. First message-DENIED.

Message sent to many for comment-not primarily for legal advice or assistance. Last message-GRANTED.

BOX_NUM : 4
FOLDERNO : 8

Document 310 of 501

BATES_RANGE : MRK-AKU0012875-MRK-AKU0012881
ATTACHMENTS : Attached to MRK-AKU0012874-MRK-AKU0012874
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/18/02
AUTHOR : Trinkle, Robert P.*
RECIPIENT : Cromley, David W.*; Lahner, Joanne*; Bigley, Frank P.*; Ralls-Morrison, Desiree Ann*; Gregory, Suzanne M.*; Giuliani, Elizabeth A.*; Olson, R. Brent*; Powell, Elizabeth A.*; Henshall, Ronald S.*; McGirr, Maureen E.*

DESCRIPTION : Draft standby statement reflecting legal advice and opinions regarding Merck earnings.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 4
FOLDERNO : 8

Document 311 of 501

BATES_RANGE : MRK-AKU0020219-MRK-AKU0020220
ATTACHMENTS : Attaching MRK-AKU0020224-MRK-AKU0020227
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/01/02
AUTHOR : Robinson, Brenda
RECIPIENT : McGirr, Maureen E.*; Lahner, Joanne*; Gregory, Suzanne M.*; Cromley, David W.*; Powell, Elizabeth A.*

DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding product sections of briefing book.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED

BOX_NUM : 4
FOLDERNO : 8

Document 312 of 501

BATES_RANGE : MRK-AKU0020224-MRK-AKU0020227
ATTACHMENTS : Attached to MRK-AKU0020219-MRK-AKU0020220
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/01/02
AUTHOR : Chitty, Dawn
RECIPIENT : Gregory, Suzanne M.*; Benezra-Kurshan, Diane; Bunt, Christine; Bold, Thomas M.; Truitt, Ken E.; Cohn, Judy; Loran, Bea cc: Lahner, Joanne*; White, Barbara A.*; Ruef, Tim F.; Reicin, Alise S.; Simpson, Sandra L.; plus others from distribution list.

DESCRIPTION : Draft internal document reflecting a request for legal advice and opinions regarding VIOXX key messages.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED

BOX_NUM : 4
FOLDERNO : 8

Document 313 of 501

BATES_RANGE : MRK-AKU0079351-MRK-AKU0079353
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/29/01

Amended Special Master Recommended Ruling - PSC "600"

AUTHOR : Gertz, Barry; Reicin, Alise S.
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft news release with handwritten comments reflecting legal advice and opinions regarding a Merck cardiovascular outcomes study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 314 of 501

BATES_RANGE : MRK-AKU0079506-MRK-AKU0079508
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/29/01
AUTHOR : Reicin, Alise; Gertz, Barry
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft news release with handwritten comments reflecting a request for legal advice and opinions regarding a Merck cardiovascular outcomes study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 315 of 501

BATES_RANGE : MRK-AKU0099635-MRK-AKU0099635
PRIV_CLAIM : Attorney-Client Privilege
DATE : Undated
AUTHOR : Kim, Peter
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Draft letter reflecting a request for legal advice and opinions regarding a response to a New York Times article on the Vioxx withdrawal.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 316 of 501

BATES_RANGE : MRK-ANK0030731-MRK-ANK0030731
ATTACHMENTS : Attaching MRK-ANK0030735-MRK-ANK0030741 Attaching MRK-ANK0030734-MRK-ANK0030734 Attaching MRK-ANK0030732-MRK-ANK0030733
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Basaman, Mary E.
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Distlerath, Linda M.; Hirsch, Laurence J.; Weiner, Jan D.; Kaufman, Art; Reaves, Gregory; Skidmore, Janet G.; Levine, Laura J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft VIGOR materials.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : E-mail and attachment were sent to one lawyer and many others. Not primarily for legal advice or assistance.
BOX_NUM : 4
FOLDERNO : 8

Document 317 of 501

BATES_RANGE : MRK-ANK0030732-MRK-ANK0030733
ATTACHMENTS : Attached to MRK-ANK0030731-MRK-ANK0030731
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00

Amended Special Master Recommended Ruling - PSC "600"

AUTHOR : Basaman, Mary E.
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Distlerath, Linda M.; Hirsch, Laurence J.;
Weiner, Jan D.; Kaufman, Art; Reaves, Gregory; Skidmore, Janet G.; Levine, Laura
DESCRIPTION : Draft press release reflecting a request for legal advice and opinions regarding GI outcomes
study.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : E-mail and attachment were sent to one lawyer and many others. Not primarily for legal advice or
assistance.
BOX_NUM : 4
FOLDERNO : 8

Document 318 of 501

BATES_RANGE : MRK-ANK0030734-MRK-ANK0030734
ATTACHMENTS : Attached to MRK-ANK0030731-MRK-ANK0030731
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Basaman, Mary Elizabeth
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Distlerath, Linda M.; Hirsch, Laurence J.;
Weiner, Jan D.; Kaufman, Art; Reaves, Gregory; Skidmore, Janet G.; Levine, Laura
DESCRIPTION : Chart reflecting a request for legal advice and opinions regarding VIGOR key messages.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : E-mail and attachment were sent to one lawyer and many others. Not primarily for legal advice or
assistance.
BOX_NUM : 4
FOLDERNO : 8

Document 319 of 501

BATES_RANGE : MRK-ANK0030735-MRK-ANK0030741
ATTACHMENTS : Attached to MRK-ANK0030731-MRK-ANK0030731
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Basaman, Mary Elizabeth
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Distlerath, Linda M.; Hirsch, Laurence J.;
Weiner, Jan D.; Kaufman, Art; Reaves, Gregory; Skidmore, Janet G.; Levine, Laura
DESCRIPTION : Draft Q&A reflecting a request for legal advice and opinions regarding VIGOR press release.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : E-mail and attachment were sent to one lawyer and many others. Not primarily for legal advice or
assistance.
BOX_NUM : 4
FOLDERNO : 8

Document 320 of 501

BATES_RANGE : MRK-ANK0030746-MRK-ANK0030747
ATTACHMENTS : Attaching MRK-ANK0030748-MRK-ANK0030754
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Distlerath, Linda; incorporating e-mail from Lahner, Joanne*
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Kaufman, Art; Blake, Mary Elizabeth;
Hirsch, Laurence J.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIGOR Q&A.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 321 of 501

BATES_RANGE : MRK-ANK0030748-MRK-ANK0030754
ATTACHMENTS : Attached to MRK-ANK0030746-MRK-ANK0030747
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Distlerath, Linda
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Kaufman, Art; Blake, Mary Elizabeth;
Hirsch, Laurence J.
DESCRIPTION : Draft Q & A reflecting a request for legal advice and opinions of Lahner, Joanne* regarding
VIGOR Q&A.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 322 of 501

BATES_RANGE : MRK-ANK0037480-MRK-ANK0037486
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Basaman, Mary Elizabeth
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Distlerath, Linda; Hirsch, Laurence J.;
Weiner, Jan D.; Reaves, Gregory; Skidmore, Janet; Jordan, Laura J.
DESCRIPTION : Q&A reflecting a request for legal advice and opinions regarding VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : E-mail and attachment were sent to one lawyer and many others. Not primarily for legal advice
or assistance.
BOX_NUM : 4
FOLDERNO : 8

Document 323 of 501

BATES_RANGE : MRK-ANK0037491-MRK-ANK0037492
ATTACHMENTS : Attaching MRK-ANK0037493-MRK-ANK0037499
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Distlerath, Linda; incorporating an e-mail from Lahner, Joanne*
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Kaufman, Art; Basaman, Mary Elizabeth;
Hirsch, Laurence J.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding Q&A dealing with VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 324 of 501

BATES_RANGE : MRK-ANK0037493-MRK-ANK0037499
ATTACHMENTS : Attached to MRK-ANK0037491-MRK-ANK0037492
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/26/00
AUTHOR : Distlerath, Linda
RECIPIENT : Frazier, Kenneth C.*; Slater, Eve; Reicin, Alise S. cc: Kaufman, Art; Basaman, Mary Elizabeth;
Hirsch, Laurence J.
DESCRIPTION : Draft Q&A reflecting a request for legal advice and opinions of Lahner, Joanne* regarding
VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 4
FOLDERNO : 8

Document 325 of 501

BATES_RANGE : MRK-ARF0103226-MRK-ARF0103227
ATTACHMENTS : Attaching MRK-ARF0103228-MRK-ARF0103229
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/25/00
AUTHOR : Yellin, Michael J.
RECIPIENT : Roberts, Rick M. cc: Gregory, Suzanne M.*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding confidentiality agreement.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 326 of 501

BATES_RANGE : MRK-ARF0103228-MRK-ARF0103229
ATTACHMENTS : Attached to MRK-ARF0103226-MRK-ARF0103227
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/25/00
AUTHOR : Yellin, Michael J.
RECIPIENT : Roberts, Rick M. cc: Gregory, Suzanne M.*; Reicin, Alise S.
DESCRIPTION : Draft internal document reflecting legal advice and opinions regarding confidentiality agreement.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 4
FOLDERNO : 8

Document 327 of 501

BATES_RANGE : MRK-AAA0078976-MRK-AAA0078976
ATTACHMENTS : Attaching MRK-AAA0078977-MRK-AAA0078977
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/11/02
AUTHOR : Chakhov, Iouri
RECIPIENT : Connors, Laurine G.; DiBattiste, Peter M.; Morrison, Briggs W.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding study consent forms.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 328 of 501

BATES_RANGE : MRK-AAA0078977-MRK-AAA0078977
ATTACHMENTS : Attached to MRK-AAA0078976-MRK-AAA0078976
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/11/02
AUTHOR : Chakhov, Iouri
RECIPIENT : Connors, Laurine G.; DiBattiste, Peter M.; Morrison, Briggs W.
DESCRIPTION : Draft memorandum reflecting client confidences and legal opinions of counsel in Scandinavia.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 329 of 501

BATES_RANGE : MRK-AAA0080367-MRK-AAA0080367
ATTACHMENTS : Attaching MRK-AAA0080368-MRK-AAA0080369
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M; Gertz, Barry J.; Goldmann, Bonnie J; Guess, Harry A; Hostalley, Linda S; Jerman, Jo C.; Leitmeyer, John E.; cc: Lahner, Joanne*; Loy, Tobi R.; Cabulong, Frederick X.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 330 of 501

BATES_RANGE : MRK-AAA0080368-MRK-AAA0080369
ATTACHMENTS : Attached to MRK-AAA0080367-MRK-AAA0080367
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostalley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 331 of 501

BATES_RANGE : MRK-AAA0083567-MRK-AAA0083567
ATTACHMENTS : Attaching MRK-AAA0083568-MRK-AAA0083569
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M.; Gertz, Barry J.; Goldmann, Bonnie J.; Guess, Harry A.; Hostalley, Linda S.; Jerman, Jo C.; Leitmeyer, John E.; Morrison, Briggs W.; Nies, Alan S.; Oppenheimer, Leonard; Reicin, Alise S.; Reines, Scott A.; Silverman, Robert E.; Watson, Douglas J.; Weiner, Jan D. cc: Lahner, Joanne*; Loy, Tobi R.*; Cabulong, Frederick X. P.; plus others from distribution list
DESCRIPTION : E-mail transmitting memorandum that reflects legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 332 of 501

BATES_RANGE : MRK-AAA0083568-MRK-AAA0083569
ATTACHMENTS : Attached to MRK-AAA0083567-MRK-AAA0083567
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*

Amended Special Master Recommended Ruling - PSC "600"

RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobin*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 333 of 501

BATES_RANGE : MRK-AAC0059871-MRK-AAC0059871
ATTACHMENTS : Attaching MRK-AAC0059874-MRK-AAC0059883 Attaching MRK-AAC0059872-MRK-AAC0059873
PRIV_CLAIM : Attorney-Client Privilege
DATE : 08/27/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Silverman, Robert E. cc: Gertz, Barry J.; Morrison, Briggs W. W; Yellin, Michael J.; Wong, Peggy H.; St. Rose, Earl; Porras, Arturo G.; Bolognese, James A.; Altmeyer, Anne; Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, J. regarding written request submission.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Redaction on p. 59871 - DENIED. It does not reveal the content of Lahner's comments.
BOX_NUM : 5
FOLDERNO : 14

Document 334 of 501

BATES_RANGE : MRK-AAC0059872-MRK-AAC0059873
ATTACHMENTS : Attached to MRK-AAC0059871-MRK-AAC0059871
PRIV_CLAIM : Attorney-Client Privilege
DATE : 06/25/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Silverman, Robert E.; Gertz, Barry J.; Morrison, Briggs W.; Yellin, Michael J.; Wong, Peggy H.; St. Rose, Earl; Porras, Arturo G.; Bolognese, James A.; Altmeyer, Anne; Lahner, Joanne*
DESCRIPTION : Draft correspondence reflecting legal advice and opinions of Lahner, Joanne* on VIOXX trials and juvenile rheumatoid arthritis.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but Merck may redact the lawyer's comments before the attachment is produced.
BOX_NUM : 5
FOLDERNO : 14

Document 335 of 501

BATES_RANGE : MRK-AAC0059874-MRK-AAC0059883
ATTACHMENTS : Attached to MRK-AAC0059871-MRK-AAC0059871
PRIV_CLAIM : Attorney-Client Privilege
DATE : 08/27/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Silverman, Robert E. cc: Gertz, Barry J.; Morrison, Briggs W. W; Yellin, Michael J.; Wong, Peggy H.; St. Rose, Earl; Porras, Arturo G.; Bolognese, James A.; Altmeyer, Anne; Lahner, Joanne*
DESCRIPTION : Joanne Lahner's revisions of draft written request for pediatric exclusivity in the treatment of JRA..
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Granted as marked on p. 59871. Attachments - Denied because Lahner's comments have not

been shown to be primarily legal.
BOX_NUM : 5
FOLDERNO : 14

Document 336 of 501

BATES_RANGE : MRK-AAC0059995-MRK-AAC0059996
ATTACHMENTS : Attaching MRK-AAC0059997-MRK-AAC0059999
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/28/01
AUTHOR : Fendelander, Helene C. on behalf of Nies, Alan, incorporating e-mail from Lahner, Joanne*
RECIPIENT : Boslego, John; Burek, Dennis; Chodakewitz, Jeffrey; Demopoulos, Laura A.; Ewanik, Daria;
Gertz, Barry; Margolskee, Dorothy; Morrison, Briggs W.; Nies, Alan; Reicin, Alise; Reines, Scott;
Reiss, Theodore; Sabbaj, Jacobo; Sadoff, Jerald; Schodel, Florian; Shaw, David; Simon,
Thomas J.; Stoner, Elizabeth; Waldstreicher, Joanne cc: Baldassano, Betsy; Bielesch, Nancy;
Busse, Jo-Ann; Degennaro, Pamela; Evans, Judith; plus others from distribution
DESCRIPTION : E-mail transmitting memorandum reflecting legal advice and opinions regarding litigation issues
and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 337 of 501

BATES_RANGE : MRK-AAC0059997-MRK-AAC0059999
ATTACHMENTS : Attached to MRK-AAC0059995-MRK-AAC0059996
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/28/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Sheares, Bradley T.; Dixon, Wendy L.; Beauchard, Lucine E.; Mills, Tracy L.;
Cannell, Thomas R.; El-Dada, Riad H.; Park, Kimberly A.; Davidovic, David L.; Wicks, Nancy;
McKeever, Jeffrey D.; plus others from distribution cc: Colbert, Celia*; Frazier, Kenneth*; Hacker,
Michael*; Henshall, Ronald*; Lewis, Sue*; Matukaitis, Paul*; McGuire, Richard*; Steinbugler,
Kathryn*; Weinstein, Bert I.*
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding document retention. .
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 338 of 501

BATES_RANGE : MRK-AAC0071913-MRK-AAC0071914
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/22/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Gertz, Barry J.
DESCRIPTION : E-mail reflecting a request for Lahner, Joanne's* legal advice and opinions regarding litigation
issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 339 of 501

BATES_RANGE : MRK-AAC0094887-MRK-AAC0094887
ATTACHMENTS : Attaching MRK-AAC0094888-MRK-AAC0094889
PRIV_CLAIM : Attorney-Client Privilege and Work Product

Amended Special Master Recommended Ruling - PSC "600"

DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M.; Gertz, Barry J.; Goldmann, Bonnie J.; Guess, Harry A.; Hostelley, Linda S.; Jerman, Jo C.; Leitmeyer, John E.; Morrison, Briggs W.; Nies, Alan S.; Oppenheimer, Leonard; Reicin, Alise S.; Reines, Scott A.; Silverman, Robert E.; Watson, Douglas J.; Weiner, Jan D. cc: Lahner, Joanne*; Loy, Tobi R.*; Cabulong, Frederick X. P.; Gilchrist, Cynthia L.; Moore, Charlotte S.; plus others from distribution
DESCRIPTION : E-mail transmitting memorandum that reflects legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 340 of 501

BATES_RANGE : MRK-AAC0094888-MRK-AAC0094889
ATTACHMENTS : Attached to MRK-AAC0094887-MRK-AAC0094887
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 341 of 501

BATES_RANGE : MRK-AAD0065774-MRK-AAD0065775
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research study contracts with Brigham and Women's Hospital.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Message sent by both a lawyer and a non-lawyer. Not primarily concerned with providing legal advice -Denied. Paragraph entitled "Legal Risk" - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 342 of 501

BATES_RANGE : MRK-AAD0072566-MRK-AAD0072566
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/28/01
AUTHOR : Boice, Judith A.
RECIPIENT : Lewis, Suzanne Gregory* cc: Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and legal opinions regarding vioxx litigation issues and preparatory measures taken in anticipation of vioxx litigation.
W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 343 of 501

BATES_RANGE : MRK-AAD0076598-MRK-AAD0076598
ATTACHMENTS : Attaching MRK-AAD0076600-MRK-AAD0076699 Attaching MRK-AAD0076599-MRK-AAD0076599
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/21/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.; Demopoulos, Laura A.; Henshall, Ronald S.*
DESCRIPTION : E-mail reflecting client confidences and a request for legal advice and opinions regarding draft presentation and draft memo re: CV outcomes and Vioxx.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to many for comment. Message and attachment not primarily for legal advice or assistance. While the content of message specifically addresses the lawyer, it simply confirms that legal advice was being sought from Henshall, while non-legal assistance was being sought from several others. Therefore, the primary purpose for the communication was not legal advice. It was mixed.

BOX_NUM : 5
FOLDERNO : 14

Document 344 of 501

BATES_RANGE : MRK-AAD0076599-MRK-AAD0076599
ATTACHMENTS : Attached to MRK-AAD0076598-MRK-AAD0076598
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/20/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : DMC; Henshall, Ronald S.*
DESCRIPTION : Memorandum reflecting client confidences and a request for legal advice and opinions regarding coxib study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 5
FOLDERNO : 14

Document 345 of 501

BATES_RANGE : MRK-AAD0076600-MRK-AAD0076699
ATTACHMENTS : Attached to MRK-AAD0076598-MRK-AAD0076598
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/21/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.; Demopoulos, Laura A.; Henshall, Ronald S.*
DESCRIPTION : Draft presentation reflecting a request for legal advice and opinions regarding COX-2 clinical trials.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a

lawyer may be redacted before production.
BOX_NUM : 5
FOLDERNO : 14

Document 346 of 501

BATES_RANGE : MRK-AAD0077590-MRK-AAD0077590
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/04/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding VIGOR.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 347 of 501

BATES_RANGE : MRK-AAD0083824-MRK-AAD0083824
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/28/01
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Boice, Judith A. cc: Reicin, Alise S.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 348 of 501

BATES_RANGE : MRK-AAD0087782-MRK-AAD0087783
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/22/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Gertz, Barry J.
DESCRIPTION : E-mail reflecting a request for Lahner, Joanne's* legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 349 of 501

BATES_RANGE : MRK-AAD0100188-MRK-AAD0100190
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/04/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Boice, Judith A.
DESCRIPTION : E-mail reflecting request for legal advice and opinions from Lahner, Joanne* and Gregory, Suzanne M. Lewis* regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. None of the 12 e-mail messages are written by or addressed to an attorney. None reveal prior advice received.

Content of a few messages mentions lawyers by name, but no legal advice is disclosed.
Complaining about not having heard from the lawyers is not a protected communication.

BOX_NUM : 5
FOLDERNO : 13

Document 350 of 501

BATES_RANGE : MRK-AAD0106930-MRK-AAD0106932
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/19/01
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Roberts, Rick M.; Rode, Robert J. cc: Kosiorek, Russell; Reicin, Alise S.; Brett, Christopher T.;
Watson, Douglas J.
DESCRIPTION : E-mail reflecting the legal advice and opinion of Lahner, Joanne* regarding slide presentation for
VIGOR.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Redaction on p. 106931, denied from beginning through "disease." Granted from "but Joanne...
BOX_NUM : 5
FOLDERNO : 14

Document 351 of 501

BATES_RANGE : MRK-AAD0111835-MRK-AAD0111835
ATTACHMENTS : Attaching MRK-AAD0111836-MRK-AAD0111839
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/16/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Barr, Eliav; Beauchard, Lucine E.; Benezra-Kurshan, Diane; Bissett, Robert
T.*; Block, Gilbert A.; Blois, David W.; Bold, Thomas M.; Bolognese, James A.; Brady, Leo M.;
Cannell, Thomas R.; Casola, Tom M.; Chitty, Dawn; Curtis, Sean P.;
DESCRIPTION : E-mail transmitting memorandum that reflects legal advice and opinions regarding litigation
issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Attorney-Client Privilege and Work Product - GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 352 of 501

BATES_RANGE : MRK-AAD0111836-MRK-AAD0111839
ATTACHMENTS : Attached to MRK-AAD0111835-MRK-AAD0111835
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/16/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Sheares, Bradley T.; Beauchard, Lucine E.; Mills, Tracy L.; Cannell, Thomas
R.; El- Dada, Riad H.; Park, Kimberly A.; Davidovic, David L.; Wicks, Nancy; McKeever, Jeffrey
D.; Bissett, Robert T.*; plus others from Distribution list cc: Boulware-Miller, Kay*; Colbert, Celia
A.*; Dalton, Daniel J.*; Frazier, Kenneth C.*; Glasser, Harold A.*; Hacker, Michael A.*; Henshall,
Ronald S.*; Lewis, Suzanne M. Gregory*; Matukaitis, Paul D.*; McGuire, Richard P.*; Quinlan,
Michael D.*; Sodomora, Shirley E.*; Steinbugler, Kathryn*; Weinstein, Bert I.*; Loy, Tobi R.*;
Frangiose, Diane*
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory
measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Attorney-Client Privilege and Work Product - GRANTED

BOX_NUM : 5
FOLDERNO : 13

Document 353 of 501

BATES_RANGE : MRK-AAX0009749-MRK-AAX0009749
ATTACHMENTS : Attaching MRK-AAX0009750-MRK-AAX0009751
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M.; Gertz, Barry J.; Goldmann, Bonnie J.; Guess, Harry A.; Hostelley, Linda S.; Jerman, Jo C.; Leitmeyer, John E.; Morrison, Briggs W.; Nies, Alan S.; Oppenheimer, Leonard; Reicin, Alise S.; Reines, Scott A.; Silverman, Robert E.; Watson, Douglas J.; Weiner, Jan D. cc: Lahner, Joanne*; Loy, Tobi R.*; Cabulong, Frederick X. P.; Gilchrist, Cynthia L.; Moore, Charlotte S.; Wuest, Anita; Inoa-Gonzalez, Carmen; Scanlon, Jeannette M.; Donis, Marilyn B.; Spritzler, Christine M.; Lucas, Krista R.; Wheelock, Judy L.; Ward, Jody L.; Way, Judith T.; Bielesch, Nancy A.; Russo, Elaine M.; Devlin, Patricia; Stauffer, Kevin M.; Zakrzewski, Debra A.; Felicetta, C. Patrick; plus others from distribution
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Vioxx litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 354 of 501

BATES_RANGE : MRK-AAX0009750-MRK-AAX0009751
ATTACHMENTS : Attached to MRK-AAX0009749-MRK-AAX0009749
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 355 of 501

BATES_RANGE : MRK-AAZ0003249-MRK-AAZ0003249
ATTACHMENTS : Attaching MRK-AAZ0003250-MRK-AAZ0003250
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/21/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : Demopoulos, Laura A.; Gertz, Barry J.; Henshall, Ronald S.*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting client confidences and a request for legal advice and opinions regarding draft presentation and draft memo re: CV outcomes and Vioxx.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to many for comment. Message and attachment not primarily for legal advice or assistance. While the content of message specifically addresses the lawyer, it simply confirms that legal advice was being sought from Henshall, while non-legal assistance was being sought from several others. Therefore, the primary purpose for the communication was not legal

advice. It was mixed.

BOX_NUM : 5
FOLDERNO : 14

Document 356 of 501

BATES_RANGE : MRK-AAZ0003250-MRK-AAZ0003250
ATTACHMENTS : Attached to MRK-AAZ0003249-MRK-AAZ0003249
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/20/01
AUTHOR : DiBattiste, Peter M.
RECIPIENT : DMC; Henshall, Ronald S.*
DESCRIPTION : Memorandum reflecting a request for legal advice and opinions regarding coxib studies.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 5
FOLDERNO : 14

Document 357 of 501

BATES_RANGE : MRK-ABC0050945-MRK-ABC0050946
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/24/02
AUTHOR : Keyser, Janet M.
RECIPIENT : Blois, David W. cc: Nies, Alan S.; Greene, Douglas Alan; Sabbaj, Jacobo; Guerra, Jorge G.; de Jesus, Daniel G.; Olson, R. Brent*; Ditzler, Warren D.; Honig, Peter K.; Sanjuan, Nelly P.; Keyser, Janet M.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIGOR study issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 358 of 501

BATES_RANGE : MRK-ABK0483708-MRK-ABK0483709
ATTACHMENTS : Attaching MRK-ABK0483710-MRK-ABK0483729
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding research study agreement with Ingenix Pharmaceutical Services.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Message and attachments sent by both a lawyer and a non-lawyer. Not primarily concerned with providing legal advice -Denied.
Paragraph entitled "Legal Risk" - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 359 of 501

BATES_RANGE : MRK-ABK0483710-MRK-ABK0483729
ATTACHMENTS : Attached to MRK-ABK0483708-MRK-ABK0483709

Amended Special Master Recommended Ruling - PSC "600"

PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Stinson, Diane L.
DESCRIPTION : Report reflecting legal advice and opinions regarding COX-2 study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 5
FOLDERNO : 14

Document 360 of 501

BATES_RANGE : MRK-ABS0377486-MRK-ABS0377493
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 03/20/02
AUTHOR : Bielesch, Nancy A. incorporating email from Olson, Brent R.* cc to Zettlemoyer, Christine M.*; Dalton, Daniel J.*
RECIPIENT : To: Adamsons, Ingrid A; Alexander, Robert C; Ball, William Austin; Beck, Klaus D.; Brackett, Laura Ellen; Horgan, Kevin J; Lawson, Francesca; Maller, Eric S.; Morrison, Mary; Oxenius, Bettina; Reines, Scott A.; Simon, Thomas J.; Visser, W. Hester; Yuen, Eric; plus others from distribution list cc: Veneziale, Cathy; Baldassano, Elizabeth L.; Bielesch, Nancy A.; Eddowes, Susanne E.; Fleishman, Joan L.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 361 of 501

BATES_RANGE : MRK-ABT0077939-MRK-ABT0077939
ATTACHMENTS : Attaching MRK-ABT0077940-MRK-ABT0077941
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M.; Gertz, Barry J.; Goldmann, Bonnie J.; Guess, Harry A.; Hostelley, Linda S.; Jerman, Jo C.; Leitmeyer, John E.; Morrison, Briggs W.; Nies, Alan S.; Oppenheimer, Leonard; plus others from distribution list cc: Lahner, Joanne*; Loy, Tobi R.*; Cabulong, Frederick X. P.; Gilchrist, Cynthia L.; Moore, Charlotte S.; plus others from distribution list
DESCRIPTION : E-mail transmitting memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Vioxx litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 362 of 501

BATES_RANGE : MRK-ABT0077940-MRK-ABT0077941
ATTACHMENTS : Attached to MRK-ABT0077939-MRK-ABT0077939
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.;

Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED

BOX_NUM : 5

FOLDERNO : 13

Document 363 of 501

BATES_RANGE : MRK-ABY0071677-MRK-ABY0071677

ATTACHMENTS : Attaching MRK-ABY0071678-MRK-ABY0071679

PRIV_CLAIM : Attorney-Client Privilege and Work Product

DATE : 02/21/02

AUTHOR : Lewis, Suzanne Gregory*

RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M.; Gertz, Barry J.; Goldmann, Bonnie J.; Guess, Harry A.; Hostelley, Linda S.; Jerman, Jo C.; Leitmeyer, John E.; Morrison, Briggs W.; Nies, Alan S.; Oppenheimer, Leonard; Reicin, Alise S.; Reines, Scott A.; Silverman, Robert E.; Watson, Douglas J.; Weiner, Jan D. cc: Lahner, Joanne*; Loy, Tobi R.*; Cabulong, Frederick X. P.; plus others from distribution list

DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Vioxx litigation.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED

BOX_NUM : 5

FOLDERNO : 13

Document 364 of 501

BATES_RANGE : MRK-ABY0071678-MRK-ABY0071679

ATTACHMENTS : Attached to MRK-ABY0071677-MRK-ABY0071677

PRIV_CLAIM : Attorney-Client Privilege and Work Product

DATE : 02/21/02

AUTHOR : Lewis, Suzanne Gregory*

RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others from distribution list

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation litigation.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED

BOX_NUM : 5

FOLDERNO : 13

Document 365 of 501

BATES_RANGE : MRK-ACD0035199-MRK-ACD0035199

ATTACHMENTS : Attaching MRK-ACD0035200-MRK-ACD0035201

PRIV_CLAIM : Attorney-Client Privilege and Work Product

DATE : 02/21/02

AUTHOR : Lewis, Suzanne Gregory*

RECIPIENT : Lahner, Joanne* Loy, Tobi R* Spritzler, Christine M. Ward, Jody L Stauffer, Kevin M. Blois, David W. Oppenheimer, Leonard Leitmeyer, John E. Reines, Scott A. Bain, Raymond P. Barr, Eliav Watson, Douglas J. Weiner, Jan D. Reicin, Alise S.; plus others from distribution list

DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Vioxx litigation.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 5
FOLDERNO : 13

Document 366 of 501

BATES_RANGE : MRK-ACD0035200-MRK-ACD0035201
ATTACHMENTS : Attached to MRK-ACD0035199-MRK-ACD0035199
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.;
Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta,
Patrick plus others in the distribution
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory
measures taken in anticipation of litigation.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 367 of 501

BATES_RANGE : MRK-ACF0003432-MRK-ACF0003433
ATTACHMENTS : Attaching MRK-ACF0003434-MRK-ACF0003437
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/17/01
AUTHOR : Barr, Eliav incorporating email from Lahner, Joanne*
RECIPIENT : Kirk, Christine M.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures
taken in anticipation of litigation.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 368 of 501

BATES_RANGE : MRK-ACF0003434-MRK-ACF0003437
ATTACHMENTS : Attached to MRK-ACF0003432-MRK-ACF0003433
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/16/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Sheares, Bradley T.; Beauchard, Lucine E.; Mills, Tracy L.; Cannell, Thomas
R.; El- Dada, Riad H.; Park, Kimberly A.; Davidovic, David L.; Wicks, Nancy; McKeever, Jeffrey
D; Bissett, Robert T.*; plus others from Distribution list cc: Boulware-Miller, Kay*; Colbert, Celia
A.*; Dalton, Daniel J.*; Frazier, Kenneth C.*; Glasser, Harold A.*; Hacker, Michael A.*; Henshall,
Ronald S.*; Lewis, Suzanne M. Gregory*; Matukaitis, Paul D.*; McGuire, Richard P.*; Quinlan,
Michael D.*; Sodomora, Shirley E.*; Steinbugler, Kathryn*; Weinstein, Bert I.*; Loy, Tobi R.*;
Frangiose, Diane*

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory
measures taken in anticipation of litigation.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 369 of 501

BATES_RANGE : MRK-ACQ0000304-MRK-ACQ0000305
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02

Amended Special Master Recommended Ruling - PSC "600"

AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research study contracts with Brigham and Women's Hospital.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Message sent by both a lawyer and a non-lawyer. Not primarily concerned with providing legal advice -Denied. Paragraph entitled "Legal Risk" - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 370 of 501

BATES_RANGE : MRK-ACR0015456-MRK-ACR0015457
ATTACHMENTS : Attaching MRK-ACR0015458-MRK-ACR0015460
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/28/01
AUTHOR : Fendelander, Helene C., incorporating e-mail from Lahner, Joanne*
RECIPIENT : Boslego, John; Burek, Dennis; Chodakewitz, Jeffrey A.; Demopoulos, Laura A.; Ewanik, Daria; Gertz, Barry J.; Margolskee, Dorothy; Morrison, Briggs W.; Nies, Alan S.; Reicin, Alise S.; Reines, Scott A.; Reiss, Theodore F.; Sabbaj, Jacobo; Sadoff, Jerald; Schodel, Florian; Shaw, David; Simon, Thomas J.; Stoner, Elizabeth; Waldstreicher, Joanne plus others from distribution list
DESCRIPTION : E-mail forwarding memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 371 of 501

BATES_RANGE : MRK-ACR0015458-MRK-ACR0015460
ATTACHMENTS : Attached to MRK-ACR0015456-MRK-ACR0015457
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/28/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Sheares, Bradley T.; Dixon, Wendy L.; Beauchard, Lucine E.; Mills, Tracy L.; Cannell, Thomas R.; El-Dada, Riad H.; Park, Kimberly A.; Davidovic, David L.; Wicks, Nancy; McKeever, Jeffrey D.; McKines, Charlotte O.; Casola, Tom M.; McKeon, Bernadette P.; plus others from distribution list cc: Colbert, Celia A.*; Frazier, Kenneth C.*; Hacker, Michael A.*; Henshall, Ronald S.*; Lewis, Suzanne M. Gregory*; Matukaitis, Paul D.*; McGuire, Richard P.*; Steinbugler, Kathryn*; Weinstein, Bert I.*
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 372 of 501

BATES_RANGE : MRK-ACT0023980-MRK-ACT0023981
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Stinson, Diane L.
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson,

Douglas J.; Honig, Peter K.; Bain, Raymond P.; Cromley, David W.*
DESCRIPTION : Draft memorandum reflecting client confidences and a request for information in order to provide legal advice and legal opinions in anticipation of viox litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Message sent by both a lawyer and a non-lawyer. Not primarily concerned with providing legal advice -Denied. Paragraph entitled "Legal Risk" - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 373 of 501

BATES_RANGE : MRK-ACT0024037-MRK-ACT0024038
ATTACHMENTS : Attaching MRK-ACT0024039-MRK-ACT0024058
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding research study agreement with Ingenix Pharmaceutical Services.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Message and attachments sent by both a lawyer and a non-lawyer. Not primarily concerned with providing legal advice -Denied. Paragraph entitled "Legal Risk" - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 374 of 501

BATES_RANGE : MRK-ACT0024039-MRK-ACT0024058
ATTACHMENTS : Attached to MRK-ACT0024037-MRK-ACT0024038
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Stinson, Diane L.
DESCRIPTION : Report reflecting legal advice and opinions regarding COX-2 study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 5
FOLDERNO : 14

Document 375 of 501

BATES_RANGE : MRK-ACV0018507-MRK-ACV0018507
ATTACHMENTS : Attaching MRK-ACV0018508-MRK-ACV0018509
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M.; Gertz, Barry J.; Goldmann, Bonnie J.; Guess, Harry A.; Hostelley, Linda S.; Jerman, Jo C.; Leitmeyer, John E.; plus others from distribution list cc: Lahner, Joanne*; Loy, Tobi R.*; Cabulong, Frederick X.P.; Gilchrist, Cynthia L; Moore, Charlotte S.; Wuest, Anita; plus others from distribution list
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Viox litigation.
W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 376 of 501

BATES_RANGE : MRK-ACV0018508-MRK-ACV0018509
ATTACHMENTS : Attached to MRK-ACV0018507-MRK-ACV0018507
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.;
Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta,
Patrick plus others in the distribution

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory
measures taken in anticipation of litigation.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 377 of 501

BATES_RANGE : MRK-ACZ0048483-MRK-ACZ0048483
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/24/00
AUTHOR : Ruffin, Sandra
RECIPIENT : Bell, Gregory; Daniels, Brian F.; Morrison, Briggs W.; Mortensen, Eric R.; Ehrich, Elliot W. cc:
Coppola, Linda G.; Baumgartner, Susan L.; Shah, Rashmi J.; Hall, Daniel L.

DESCRIPTION : E-mail reflecting legal advice and opinions regarding promotional materials to be shown at
cardiovascular and renal national teleconference.

W_HELD_REDAC : Redacted portion(s).

SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 378 of 501

BATES_RANGE : MRK-ADC0001407-MRK-ADC0001408
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson,
Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson,
Diane L.

DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions regarding research
study contracts with Brigham and Women's Hospital.

W_HELD_REDAC : Entire document.

SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Message sent by both a lawyer and a non-lawyer. Not primarily concerned with providing legal
advice -Denied. Paragraph entitled "Legal Risk" - Granted.

BOX_NUM : 5
FOLDERNO : 14

Document 379 of 501

BATES_RANGE : MRK-ADG0049748-MRK-ADG0049748
ATTACHMENTS : Attaching MRK-ADG0049749-MRK-ADG0049752
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/16/01

Amended Special Master Recommended Ruling - PSC "600"

AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Barr, Eliav; Beauchard, Lucine E.; Benezra-Kurshan, Diane; Bissett, Robert T.*; Block, Gilbert A.; Blois, David W.; Bold, Thomas M.; Bolognese, James A.; Brady, Leo M.; plus others from distribution list cc: Boulware-Miller, Kay; Colbert Celia A.* Dalton, Daniel J.*; Frazier, Kenneth C.*; Glasser Harold A.*; Hacker, Michael A.*; Henshall, Ronald S.*; Gregory, Suzanne*; Matukaitis, Paul D.*; McGuire, Richard P.*; Quinlan, Michal D.*; Sodomora, Shirley E.*; Steinbugler, Kathryn; Weinstein, Bert I.*; Loy, Tobi R.*; Frangiose, Diane*
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Attorney-Client Privilege and Work Product - GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 380 of 501

BATES_RANGE : MRK-ADG0049749-MRK-ADG0049752
ATTACHMENTS : Attached to MRK-ADG0049748-MRK-ADG0049748
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/16/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Sheares, Bradley T.; Beauchard, Lucine E.; Mills, Tracy L.; Cannell, Thomas R.; El- Dada, Riad H.; Park, Kimberly A.; Davidovic, David L.; Wicks, Nancy; McKeeever, Jeffrey D; Bissett, Robert T.*; plus others from Distribution list cc: Boulware-Miller, Kay*; Colbert, Celia A.*; Dalton, Daniel J.*; Frazier, Kenneth C.*; Glasser, Harold A.*; Hacker, Michael A.*; Henshall, Ronald S.*; Lewis, Suzanne M. Gregory*; Matukaitis, Paul D.*; McGuire, Richard P.*; Quinlan, Michael D.*; Sodomora, Shirley E.*; Steinbugler, Kathryn*; Weinstein, Bert I.*; Loy, Tobi R.*; Frangiose, Diane*
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Attorney-Client Privilege and Work Product - GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 381 of 501

BATES_RANGE : MRK-ADK0002398-MRK-ADK0002399
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Silverman, R Oppenheimer, L Reicin, A Reines, S Leitmeyer, J Morrison, B Nies, A Guess, H Hostelley, L Jerman, J Lahner, Joanne*
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Vioxx litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 382 of 501

BATES_RANGE : MRK-ADK0007084-MRK-ADK0007084
ATTACHMENTS : Attaching MRK-ADK0007085-MRK-ADK0007086
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Loy, Tobi R *, Lahner, Joanne* Inoa-Gonzalez, Carmen Stauffer, Kevin M. Gilchrist, Cynthia L

Blois, David W. Oppenheimer, Leonard Leitmeyer, John E. Reines, Scott A. Bain, Raymond P. Barr, Eliav Watson, Douglas J. Weiner, Jan D. Reicin, Alise S.

DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Vioxx litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 383 of 501

BATES_RANGE : MRK-ADK0007085-MRK-ADK0007086
ATTACHMENTS : Attached to MRK-ADK0007084-MRK-ADK0007084
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : Undated
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 384 of 501

BATES_RANGE : MRK-AFI0100379-MRK-AFI0100383
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/27/00
AUTHOR : Daniels, Brian F.
RECIPIENT : Truitt, Ken E.; Daniels, Brian F.; Baumgartner, Susan L.; Anderson, Marjorie; Daniels, Brian F.; Yarbrough, Caroline; Reicin, Alise S.; Romankiewicz, John

DESCRIPTION : E-mail reflecting a recitation of legal advice and opinions from Lahner, Joanne* regarding VIGOR study issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 385 of 501

BATES_RANGE : MRK-AFI0100771-MRK-AFI0100772
ATTACHMENTS : Attaching MRK-AFI0100799-MRK-AFI0100820 Attaching MRK-AFI0100822-MRK-AFI0100822
Attaching MRK-AFI0100823-MRK-AFI0100823 Attaching MRK-AFI0100821-MRK-AFI0100821
Attaching MRK-AFI0100773-MRK-AFI0100796 Attaching MRK-AFI0100797-MRK-AFI0100798

PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Mortensen, Eric R.
RECIPIENT : Bigley, Frank Peter* cc: Ruffin, Sandra; Baumgartner, Susan L.; Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding promotional issues pertaining to National Teleconference.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 386 of 501

BATES_RANGE : MRK-AFI0100773-MRK-AFI0100796
ATTACHMENTS : Attached to MRK-AFI0100771-MRK-AFI0100772
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Mortensen, Eric R.
RECIPIENT : Bigley, Frank Peter* cc: Ruffin, Sandra; Baumgartner, Susan L.; Reicin, Alise S.
DESCRIPTION : Presentation reflecting a request for legal advice and opinions regarding vioxx promotional items and vigor study data.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 387 of 501

BATES_RANGE : MRK-AFI0100797-MRK-AFI0100798
ATTACHMENTS : Attached to MRK-AFI0100771-MRK-AFI0100772
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Mortensen, Eric R.
RECIPIENT : Bigley, Frank Peter* cc: Ruffin, Sandra; Baumgartner, Susan L.; Reicin, Alise S.
DESCRIPTION : List reflecting a request for legal advice and opinions regarding VIGOR study and promotional and regulatory issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 388 of 501

BATES_RANGE : MRK-AFI0100799-MRK-AFI0100820
ATTACHMENTS : Attached to MRK-AFI0100771-MRK-AFI0100772
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Mortensen, Eric R.
RECIPIENT : Bigley, Frank Peter* cc: Ruffin, Sandra; Baumgartner, Susan L.; Reicin, Alise S.
DESCRIPTION : Presentation reflecting a request for legal advice and opinions regarding VIGOR and CLASS studies.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 389 of 501

BATES_RANGE : MRK-AFI0100821-MRK-AFI0100821
ATTACHMENTS : Attached to MRK-AFI0100771-MRK-AFI0100772
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Mortensen, Eric R.
RECIPIENT : Bigley, Frank Peter* cc: Ruffin, Sandra; Baumgartner, Susan L.; Reicin, Alise S.
DESCRIPTION : Draft questions reflecting a request for legal advice and opinions regarding CV/ Renal and VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 390 of 501

BATES_RANGE : MRK-AFI0100822-MRK-AFI0100822
ATTACHMENTS : Attached to MRK-AFI0100771-MRK-AFI0100772
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Mortensen, Eric R.
RECIPIENT : Bigley, Frank Peter* cc: Ruffin, Sandra; Baumgartner, Susan L.; Reicin, Alise S.
DESCRIPTION : Draft questions reflecting a request for legal advice and opinions regarding CV/ Renal and VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 391 of 501

BATES_RANGE : MRK-AFI0100823-MRK-AFI0100823
ATTACHMENTS : Attached to MRK-AFI0100771-MRK-AFI0100772
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/26/00
AUTHOR : Mortensen, Eric R.
RECIPIENT : Bigley, Frank Peter* cc: Ruffin, Sandra; Baumgartner, Susan L.; Reicin, Alise S.
DESCRIPTION : Draft questions reflecting a request for legal advice and opinions regarding CV/ Renal and VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 392 of 501

BATES_RANGE : MRK-AFK0292884-MRK-AFK0292889
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/30/02
AUTHOR : Keyser, Janet M.
RECIPIENT : Olson, R. Brent*; Lahner, Joanne*; Nies, Alan S.; Blois, David W.; Taglieber, Ulirch; Guerra, Jorge G.; Sabbaj, Jacobo; de Jesus, Daniel G.; Sanjuan, Nelly P.; Ditzler, Warren D.; Honig, Peter K.; Greene, Douglas Alan
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding Vioxx VIGOR analyses.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 14

Document 393 of 501

BATES_RANGE : MRK-AFO0143295-MRK-AFO0143296
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/19/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Altmeyer, Anne; Lahner, Joanne* cc: Stinson, Diane L.; Grosser, Karen; DiBattiste, Peter M.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding bidding by contract research organizations on the VIOXX CV outcomes study and draft press release communication about VIOXX CV study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. There are five messages in the thread and none were sent only to an attorney or written by an attorney. Their primary purpose,

therefore, was not to obtain legal assistance - DENIED. The March 13, 3:46 pm message asked about legal advice received, and the March 13, 3:53 pm message relates it - GRANTED. The last two messages are not primarily for legal assistance - sent to both lawyers and non-lawyers - DENIED.

BOX_NUM : 5
FOLDERNO : 14

Document 394 of 501

BATES_RANGE : MRK-AFO0143548-MRK-AFO0143549
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/22/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S.; Altmeyer, Anne cc: Stinson, Diane L.; Grosser, Karen; DiBattiste, Peter M.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding VIOXX CV outcomes study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. There are six messages in the thread and none were sent only to an attorney or written by an attorney. Their primary purpose, therefore, was not to obtain legal assistance - DENIED. The March 13, 3:46 pm message asked about legal advice received, and the March 13, 3:53 pm message relates it - GRANTED. The next two messages are not primarily for legal assistance - sent to both lawyers and non-lawyers - DENIED. The last message from Lahner - GRANTED.

BOX_NUM : 5
FOLDERNO : 14

Document 395 of 501

BATES_RANGE : MRK-AFQ0000302-MRK-AFQ0000303
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Cannuscio, Carolyn C.; Cromley, David W.*
RECIPIENT : Greene, Douglas Alan cc: Guess, Harry A.; Gertz, Barry J.; Santanello, Nancy C.; Watson, Douglas J.; Honig, Peter K.; Bain, Raymond P.; Reicin, Alise S.; Silverman, Robert E.; Stinson, Diane L.
DESCRIPTION : Memorandum reflecting client confidences and legal advice and opinions from Cromley, David W.* regarding research study contracts with Ingenix and Brigham and Women's Hospital.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Message sent by both a lawyer and a non-lawyer. Not primarily concerned with providing legal advice -Denied. Paragraph entitled "Legal Risk" - Granted.

BOX_NUM : 5
FOLDERNO : 14

Document 396 of 501

BATES_RANGE : MRK-AFS0035414-MRK-AFS0035414
ATTACHMENTS : Attaching MRK-AFS0035415-MRK-AFS0035416
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Gregory, Suzanne M.*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Distlerath, Linda M.; Gertz, Barry J.; Guess, Harry A.; Hostalley, Linda S.; Jerman, Jo C.; Reicin, Alise S.; plus others from distribution cc: Lahner, Joanne*; Loy, Tobi R.*; Moore, Christine S.; Wuest, Anita; Scanlon, Jeannette M.; Doris, Marliyn B.; plus others from distribution
DESCRIPTION : E-mail reflecting legal advice and opinions regarding document retention policies.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED

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BOX_NUM : 5
FOLDERNO : 13

Document 397 of 501

BATES_RANGE : MRK-AFS0035415-MRK-AFS0035416
ATTACHMENTS : Attached to MRK-AFS0035414-MRK-AFS0035414
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Gregory, Suzanne M.*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Distlerath, Linda M.; Gertz, Barry J.; Guess, Harry A.; Hostelley, Linda S.; Jerman, Jo C.; Reicin, Alise S.; plus others from distributioncc: Lahner, Joanne*; Loy, Tobi R.*; Moore, Christine S.; Wuest, Ani
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding document retention policies.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 398 of 501

BATES_RANGE : MRK-AHO0102696-MRK-AHO0102699
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/17/01
AUTHOR : Melin, Jeffrey
RECIPIENT : Roberts, Rick; Reicin, Alise
DESCRIPTION : Email reflecting request for legal advice and opinions of Lahner, Joanne* regarding a back pain protocol and possible label change.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : 5 Redactions on p. 102697: First redaction - Denied. No advice disclosed; Second redaction - Granted - except for first sentence - Denied.; Third redaction - Denied. No advice sought or given; Fourth redaction - Denied except for sentence beginning "Do you..." - Granted; Fifth redaction - Denied - except for remainder of sentence following "low back pain..." No advice sought or given. Lawyer not even copied.
2 Redactions on p. 102698: First redaction - Denied. No advice disclosed. Message was neither from nor to an attorney; Second redaction - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 399 of 501

BATES_RANGE : MRK-AHO0108355-MRK-AHO0108358
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/17/01
AUTHOR : Melin, Jeffrey
RECIPIENT : Roberts, Rick M.; Reicin, Alise
DESCRIPTION : Email reflecting a request for legal advice and opinions of Lahner, Joanne* regarding a back pain protocol and possible label change.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : 5 Redactions on p 108356: First redaction - Denied. No advice disclosed; Second redaction - Granted - except for first sentence - Denied.; Third redaction - Denied. No advice sought or given; Fourth redaction - Denied except for sentence beginning "Do you..." - Granted; Fifth redaction - Denied - except for remainder of sentence following "low back pain...". No advice sought or given. Lawyer not even copied;
2 Redactions on p. 108357: First redaction - Denied. No advice disclosed. Message was

neither from nor to an attorney; Second redaction - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 400 of 501

BATES_RANGE : MRK-AKO0009932-MRK-AKO0009932
PRIV_CLAIM : Attorney-Client Privilege
DATE : 11/30/00
AUTHOR : Roberts, Rick
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J.; Silverman, Robert E.; Geba, Greg P.; Dixon, Mary; Beauchard, Lucine E.; Roberts, Rick; Dobbins, Thomas W.; Reiss, Sandra; plus others from the distribution list
DESCRIPTION : E-mail summary of a meeting reflecting request for legal advice and opinions on the study design of a second VACT study.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : The fact that a lawyer has discussed a study design with others in the company does not mean that legal advice was either sought or given. The does not reveal the content of the communications of either the client or the attorney.

BOX_NUM : 5
FOLDERNO : 14

Document 401 of 501

BATES_RANGE : MRK-AKU0013258-MRK-AKU0013258
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/21/02
AUTHOR : Simon, Thomas J.
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding cardiovascular data for a domestic investigator meeting.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 14

Document 402 of 501

BATES_RANGE : MRK-AKU0018813-MRK-AKU0018814
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/19/02
AUTHOR : Reicin, Alise S.
RECIPIENT : Altmeyer, Anne; Lahner, Joanne* cc: Stinson, Diane L.; Grosser, Karen; DiBattiste, Peter M.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding VIOXX CV outcomes study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. There are five messages in the thread and none were sent only to an attorney or written by an attorney. Their primary purpose, therefore, was not to obtain legal assistance - DENIED. The March 13, 3:46 pm message asked about legal advice received, and the March 13, 3:53 pm message relates it - GRANTED. The last two messages are not primarily for legal assistance - sent to both lawyers and non-lawyers - DENIED.

BOX_NUM : 5
FOLDERNO : 14

Document 403 of 501

BATES_RANGE : MRK-AKU0066995-MRK-AKU0066995
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/12/00
AUTHOR : Roberts, Rick
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J.; Silverman, Robert E.; Geba, Greg P.; Dixon, Mary; Beauchard, Lucine E.; Dobbins, Thomas W.; Reiss, Sandra; Rode, Robert J.; plus others from distribution list
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding promotion of VACT 2 study results.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 5
FOLDERNO : 114

Document 404 of 501

BATES_RANGE : MRK-ANS0008470-MRK-ANS0008473
ATTACHMENTS : Attaching MRK-ANS0008474-MRK-ANS0008477
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/19/01
AUTHOR : Stapleton, Debbie E.
RECIPIENT : Kong, Sheldon X.; Kostek, Alexander M.; Morrison, Briggs W.; Ortlieb, David E.; Patrick, Darryl H.; Pryor-Tillotson, Suzanne M.; Reicin, Alise S.; Rogers, Doug; Rue, Denise R.; Salgado, Maribel C.; Schneider, Merle A.; plus others from distribution list
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding document retention policies and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 405 of 501

BATES_RANGE : MRK-ANS0008474-MRK-ANS0008477
ATTACHMENTS : Attached to MRK-ANS0008470-MRK-ANS0008473
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/19/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Kong, Sheldon X.; Kostek, Alexander M.; Morrison, Briggs W.; Ortlieb, David E.; Patrick, Darryl H.; Pryor-Tillotson, Suzanne M.; Reicin, Alise S.; Rogers, Doug; Rue, Denise R.; Salgado, Maribel C.; Schneider, Merle A.; plus others from distribution list
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding document retention policies and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 406 of 501

BATES_RANGE : MRK-ARF0101096-MRK-ARF0101099
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/17/01
AUTHOR : Melin, Jeffrey M.; incorporating an e-mail to Lahner, Joanne*
RECIPIENT : Roberts, Rick M.; Reicin, Alise S.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions of Lahner, Joanne* regarding NSAID indications for lower back pain.
W_HELD_REDAC : Redacted portion(s).

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SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Three redactions on p. 101097. First redaction - Granted. Second redaction - first sentence not privileged because advice was not sought - Denied. Second sentence beginning "Do you..." - Granted. Third redaction - Denied. Does not reveal advice or request for advice. The fact that legal is mentioned does not make it privileged when Legal wasn't even copied on the message.
1 Redaction on p. 101098 - Granted.
BOX_NUM : 5
FOLDERNO : 14

Document 407 of 501

BATES_RANGE : MRK-AUT0002262-MRK-AUT0002263
ATTACHMENTS : Attaching MRK-AUT0002264-MRK-AUT0002267
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 09/23/02
AUTHOR : O'Connor, Kathleen*
RECIPIENT : Anstice, David W.; Sheares, Bradley T.; Alberti, Peter M.; Barker, Tyrus; Barr, Eliav; Beauchard, Lucine E.; Benezra-Kurshan, Diane; Bissett, Robert T.; Blois, David W.; Bold, Thomas M.; Bolognese, James A.; Bourdow, Carrie L.; plus others from distribution list
DESCRIPTION : E-mail reflecting legal advice and opinions regarding document retention and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 408 of 501

BATES_RANGE : MRK-AUT0002264-MRK-AUT0002267
ATTACHMENTS : Attached to MRK-AUT0002262-MRK-AUT0002263
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 09/23/02
AUTHOR : O'Connor, M. Kathleen*
RECIPIENT : Anstice, David W.; Sheares, Bradley T.; Alberti, Peter M.; Barker, Tyrus; Barr, Eliav; Beauchard, Lucine E.; Benezra-Kurshan, Diane; Bissett, Robert T.; Blois, David W.; Bold, Thomas M.; Bolognese, James A.; Bourdow, Carrie L.; plus others from distribution list
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding document retention and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 5
FOLDERNO : 13

Document 409 of 501

BATES_RANGE : MRK-AAB0064652-MRK-AAB0064653
ATTACHMENTS : Attaching MRK-AAB0064654-MRK-AAB0064658
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Silverman, Robert E. cc: Harper, Sean E.; Reines, Scott A.; Goldmann, Bonnie J.; Shapiro, Deborah R.; Oppenheimer, Leonard; Greene, Douglas; Simon, Thomas; Reicin, Alise S.
DESCRIPTION : E-mail reflecting client confidences and legal advice and opinions from Lahner, Joanne* regarding regulatory issues pertaining to product labeling.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log. In the first two messages Lahner is only copied. They were not primarily for legal assistance - DENIED. Third message from Lahner -

GRANTED.

BOX_NUM : 6
FOLDERNO : 16

Document 410 of 501

BATES_RANGE : MRK-AAB0064654-MRK-AAB0064658
ATTACHMENTS : Attached to MRK-AAB0064652-MRK-AAB0064653
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Silverman, Robert E. cc: Harper, Sean E.; Reines, Scott A.; Goldmann, Bonnie J.; Shapiro, Deborah R.; Oppenheimer, Leonard; Greene, Douglas; Simon, Thomas; Reicin, Alise S.
DESCRIPTION : Draft regulatory correspondence reflecting legal advice and opinions regarding Supplemental New Drug Application and VIGOR study issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 6
FOLDERNO : 16

Document 411 of 501

BATES_RANGE : MRK-AAB0078252-MRK-AAB0078253
PRIV_CLAIM : Attorney-Client Privilege
DATE : 03/07/02
AUTHOR : Shapiro, Deborah R.
RECIPIENT : Braunstein, Ned S.; Truitt, Ken E.; Connors, Laurine G.; Silverman, Robert E. cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding Vioxx CIB.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction disclosed a decision made jointly by Regulatory Management and Lahner. Legal advice was not explicitly disclosed.

BOX_NUM : 6
FOLDERNO : 16

Document 412 of 501

BATES_RANGE : MRK-AAC0046863-MRK-AAC0046864
ATTACHMENTS : Attaching MRK-AAC0046865-MRK-AAC0046866
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.

BOX_NUM : 6
FOLDERNO : 16

Document 413 of 501

BATES_RANGE : MRK-AAC0046865-MRK-AAC0046866
ATTACHMENTS : Attached to MRK-AAC0046863-MRK-AAC0046864
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : Draft regulatory document reflecting client confidences and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but comments of lawyer on attachment can be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 414 of 501

BATES_RANGE : MRK-AAC0065614-MRK-AAC0065614
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/05/01
AUTHOR : Weiner, Jan D.
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.; Demopoulos, Laura A. cc: Fanelle, Christine; Bloomfield, John M.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding draft news release to DDMAC.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to how Lahner wants to develop language. It does not reveal legal advice.
AMEND_SM_REC : NO CHANGE
AMEND_SMEEXPL : 1) Message (and attachment) were not primarily for legal advice because they were sent to many individuals that included two lawyers; 2) the content of the message did not convey legal advice - only a suggestion for an alternative format for developing language for a submission to the DDMAC.
BOX_NUM : 6
FOLDERNO : 17

Document 415 of 501

BATES_RANGE : MRK-AAC0065640-MRK-AAC0065640
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/06/01
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Reicin, Alise S.; Lahner, Joanne*; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner Joanne* regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction addresses how Lahner wants to develop language. Substantive legal advice is not disclosed.
BOX_NUM : 6
FOLDERNO : 17

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BATES_RANGE : MRK-AAC0065644-MRK-AAC0065644
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/07/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Demopoulos, Laura A.; Fanelle, Christine; Bloomfield, John

M.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner Joanne* regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to how Lahner wants to develop language. It does not reveal legal advice.
BOX_NUM : 6
FOLDERNO : 17

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BATES_RANGE : MRK-AAC0083412-MRK-AAC0083413
ATTACHMENTS : Attaching MRK-AAC0083414-MRK-AAC0083415
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.

DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIOXX FDA letter.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.
BOX_NUM : 6
FOLDERNO : 16

Document 418 of 501

BATES_RANGE : MRK-AAC0083414-MRK-AAC0083415
ATTACHMENTS : Attached to MRK-AAC0083412-MRK-AAC0083413
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.

DESCRIPTION : Draft regulatory correspondence reflecting client confidences, legal advice and opinions regarding Vioxx response to agency and promotional issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but comments of lawyer on attachment can be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 419 of 501

BATES_RANGE : MRK-AAD0053427-MRK-AAD0053427
ATTACHMENTS : Attaching MRK-AAD0053433-MRK-AAD0053437 Attaching MRK-AAD0053440-MRK-AAD0053442 Attaching MRK-AAD0053428-MRK-AAD0053432 Attaching MRK-AAD0053438-MRK-AAD0053439
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 09/13/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise cc: Beauchard, L.; Dalton, D.*; Dixon, W.; Silverman, R.
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED

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BOX_NUM : 6
FOLDERNO : 16

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BATES_RANGE : MRK-AAD0053428-MRK-AAD0053432
ATTACHMENTS : Attached to MRK-AAD0053427-MRK-AAD0053427
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 06/21/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Morrison, Thomas C.* cc: Henshall, Ronald S.*
DESCRIPTION : Correspondence reflecting a request for legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 421 of 501

BATES_RANGE : MRK-AAD0053433-MRK-AAD0053437
ATTACHMENTS : Attached to MRK-AAD0053427-MRK-AAD0053427
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 07/11/00
AUTHOR : Morrison, Thomas C.*
RECIPIENT : Lahner, Joanne*
DESCRIPTION : Correspondence reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 422 of 501

BATES_RANGE : MRK-AAD0053438-MRK-AAD0053439
ATTACHMENTS : Attached to MRK-AAD0053427-MRK-AAD0053427
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/23/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Morrison, Thomas C.* cc: Henshall, Ronald S.*
DESCRIPTION : Correspondence reflecting a request for legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 423 of 501

BATES_RANGE : MRK-AAD0053440-MRK-AAD0053442
ATTACHMENTS : Attached to MRK-AAD0053427-MRK-AAD0053427
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/23/00
AUTHOR : Lahner, J.*
RECIPIENT : N/A cc: Beauchard, L.; Dalton, D.*; Dixon, W.; Silverman, R.
DESCRIPTION : News release reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED

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BOX_NUM : 6
FOLDERNO : 16

Document 424 of 501

BATES_RANGE : MRK-AAD0053563-MRK-AAD0053563
ATTACHMENTS : Attaching MRK-AAD0053564-MRK-AAD0053572 Attaching MRK-AAD0053573-MRK-AAD0053581 Attaching MRK-AAD0053582-MRK-AAD0053589 Attaching MRK-AAD0053590-MRK-AAD0053591
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 03/12/02
AUTHOR : Epstein, Linda*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Correspondence reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Hughes Hubbard lawyer sent published materials to Reicin at request of another lawyer. Under the derivative rule, a lawyer's responsive communications are privileged only to the extent that they reveal prior confidential communications of the client. This does not. - **DENIED**
Work Product - **GRANTED**

BOX_NUM : 6
FOLDERNO : 16

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BATES_RANGE : MRK-AAD0053564-MRK-AAD0053572
ATTACHMENTS : Attached to MRK-AAD0053563-MRK-AAD0053563
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 03/12/02
AUTHOR : Epstein, Linda*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Article reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Hughes Hubbard lawyer sent published materials to Reicin at request of another lawyer. Under the derivative rule, a lawyer's responsive communications are privileged only to the extent that they reveal prior confidential communications of the client. This does not. - **DENIED**
Work Product - **GRANTED**

BOX_NUM : 6
FOLDERNO : 16

Document 426 of 501

BATES_RANGE : MRK-AAD0053573-MRK-AAD0053581
ATTACHMENTS : Attached to MRK-AAD0053563-MRK-AAD0053563
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 09/17/01
AUTHOR : Abrams, Thomas W.
RECIPIENT : Gilmartin, Raymond V.
DESCRIPTION : Correspondence reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Hughes Hubbard lawyer sent published materials to Reicin at request of another lawyer. Under the derivative rule, a lawyer's responsive communications are privileged only to the extent that they reveal prior confidential communications of the client. This does not. - **DENIED**

Work Product - **GRANTED**

BOX_NUM : 6
FOLDERNO : 16

Document 427 of 501

BATES_RANGE : MRK-AAD0053582-MRK-AAD0053589
ATTACHMENTS : Attached to MRK-AAD0053563-MRK-AAD0053563
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/01/01
AUTHOR : Antice, David W.
RECIPIENT : Abrams, Thomas W. cc: Gilmartin, Raymond V.
DESCRIPTION : Correspondence reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Hughes Hubbard lawyer sent published materials to Reicin at request of another lawyer. Under the derivative rule, a lawyer's responsive communications are privileged only to the extent that they reveal prior confidential communications of the client. This does not. - **DENIED**
Work Product - **GRANTED**

BOX_NUM : 6
FOLDERNO : 16

Document 428 of 501

BATES_RANGE : MRK-AAD0053590-MRK-AAD0053591
ATTACHMENTS : Attached to MRK-AAD0053563-MRK-AAD0053563
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 03/12/02
AUTHOR : Epstein, Linda*
RECIPIENT : Reicin, Alise S.
DESCRIPTION : Press release reflecting legal advice and opinions regarding public relations issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Hughes Hubbard lawyer sent published materials to Reicin at request of another lawyer. Under the derivative rule, a lawyer's responsive communications are privileged only to the extent that they reveal prior confidential communications of the client. This does not. - **DENIED**
Work Product - **GRANTED**

BOX_NUM : 6
FOLDERNO : 16

Document 429 of 501

BATES_RANGE : MRK-AAD0084299-MRK-AAD0084300
ATTACHMENTS : Attaching MRK-AAD0084301-MRK-AAD0084302
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIOXX FDA letter.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third

message from Lahner reveals no comments of Lahner.
BOX_NUM : 6
FOLDERNO : 16

Document 430 of 501

BATES_RANGE : MRK-AAD0084301-MRK-AAD0084302
ATTACHMENTS : Attached to MRK-AAD0084299-MRK-AAD0084300
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/09/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : Draft responses to questions reflecting client confidences, legal advice and opinions regarding Vioxx response to agency and promotional issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but comments of lawyer on attachment can be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 431 of 501

BATES_RANGE : MRK-AAD0084517-MRK-AAD0084517
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/07/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Demopoulos, Laura A.; Fanelle, Christine; Bloomfield, John M.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner Joanne* regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to how Lahner wants to develop language. It does not reveal legal advice.
BOX_NUM : 6
FOLDERNO : 17

Document 432 of 501

BATES_RANGE : MRK-AAD0084587-MRK-AAD0084587
ATTACHMENTS : Attaching MRK-AAD0084588-MRK-AAD0084593
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Quinlan, Michael D.*; Bolton, Anne H.* cc: Schwartz, Jules I.; Truitt, Ken E.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding providing appropriate responses to media for anticipated questions concerning vioxx and non-GI safety issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 433 of 501

BATES_RANGE : MRK-AAD0084588-MRK-AAD0084593
ATTACHMENTS : Attached to MRK-AAD0084587-MRK-AAD0084587
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Bolton, Anne H.*; Quinlan, Michael D.* cc: Schwartz, Jules I.; Truitt, Ken E.
DESCRIPTION : Draft standby statement reflecting a request for, and provision of, legal advice and opinions as it

Amended Special Master Recommended Ruling - PSC "600"

more specifically relates to CV issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 434 of 501

BATES_RANGE : MRK-AAD0108129-MRK-AAD0108129
ATTACHMENTS : Attaching MRK-AAD0108130-MRK-AAD0108132
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/05/01
AUTHOR : Silverman, Robert E. incorporating email from Weiner, Jan D. to Lahner, Joanne*; Henshall, Ronald S.*
RECIPIENT : Weiner, Jan D. cc: Reicin, Alise S.; Demopoulos, Laura A.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft press release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Message and attachment are not primarily for legal advice - sent to many, including two lawyers. Not providing legal advice - only exploring alternative format for developing language for submission to DDMAC.
AMEND_SM_REC : NO CHANGE
AMEND_SMEXPL : 1) Message (and attachment) were not primarily for legal advice because they were sent to many individuals that included two lawyers; 2) the content of the message did not convey legal advice - only a suggestion for an alternative format for developing language for a submission to the DDMAC.
BOX_NUM : 6
FOLDERNO : 17

Document 435 of 501

BATES_RANGE : MRK-AAD0108130-MRK-AAD0108132
ATTACHMENTS : Attached to MRK-AAD0108129-MRK-AAD0108129
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/05/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Weiner, Jan D. cc: Reicin, Alise S.; Demopoulos, Laura A.; Lahner, Joanne*; Henshall, Ronald* S.; Wainwright, Joan; Reaves, Gregory E; Bloomfield, John M; Fanelle, Christine; Daigler, Nancy J; Slater, Eve E; Dorsa, Caroline; Dixon, Wendy L.; Kornowski, Sophie; Jordan, Laura J.; Silverman, Robert E. (MRL); Casola, Tom
DESCRIPTION : Draft press release concerning a Cardiovascular Outcomes Trial reflecting legal advice and opinions from Lahner, Joanne* regarding regulatory issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 6
FOLDERNO : 17

Document 436 of 501

BATES_RANGE : MRK-AAD0108325-MRK-AAD0108331
ATTACHMENTS : Attached to MRK-AAD0108323-MRK-AAD0108324
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Quinlan, Michael D.* cc: Reicin, Alise S.
DESCRIPTION : Draft standby statement reflecting a request for, and provision of, legal advice and opinions as it

more specifically relates to CV issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a non-privileged communication is not privileged and comments on the attachment are those of a non-lawyer.
BOX_NUM : 6
FOLDERNO : 17

Document 437 of 501

BATES_RANGE : MRK-AAD0172199-MRK-AAD0172200
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/06/02
AUTHOR : Wambold, Deb
RECIPIENT : Reicin, Alise S.; Schechter, Adam H.; Gertz, Barry J.; Coram, Greg; Kim, Peter S. cc: Lewis, Suzanne Gregory*; Fanelle, Christine; Lahner, Joanne*; Weiner, Jan D.; Reaves, Gregory E.; Spencer, Linda G.; Patryk, Robb*; Reed, Pamela R.*; Mechler, Elaine H.*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding label change.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : This is a schedule for prep sessions on new label form non-lawyer to non-lawyer, with copies to attorneys. While lawyer's names are in time slots, no confidential information about communications to attorney or advice from attorney is revealed. Message sent to many and copied to lawyers. It was not sent primarily for obtaining legal advice.
BOX_NUM : 6
FOLDERNO : 16

Document 438 of 501

BATES_RANGE : MRK-AAD0172952-MRK-AAD0172953
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Brakewood, E.B. E.; incorporating e-mail to Lahner, Joanne*
RECIPIENT : Regnante, Jeanne Marie; Goldberg, Allan I.; Reicin, Alise S.; Curtis, Sean P.; Melian, Agustin; Truitt, Ken E.; Star, Vicki L.; Ben-Yehuda, Ori; Geba, Greg P.; Chang, David J.; Fanelle, Christine cc: El-Dada, Riad H.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding rules and procedures to change labels.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 6
FOLDERNO : 16

Document 439 of 501

BATES_RANGE : MRK-ABA0010012-MRK-ABA0010012
ATTACHMENTS : Attaching MRK-ABA0010013-MRK-ABA0010016
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/16/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Barr, Eliav; Beauchard, Lucine E.; Benezra-Kurshan, Diane; Bissett, Robert T.*; Block, Gilbert A.; Blois, David W.; Bold, Thomas M.; Bolognese, James A.; Brady, Leo M.; plus others cc: Boulware-Miller, Kay; Colbert Celia A.* Dalton, Daniel J.*; Frazier, Kenneth C.*; Glasser Harold A.*; Hacker, Michael A.*; Henshall, Ronald S.*; Gregory, Suzanne*; Matukaitis, Paul D.*; McGuire, Richard P.*; Quinlan, Michal D.*; Sodomora, Shirley E.*; Steinbugler, Kathryn; Weinstein, Bert I.*; Loy, Tobi R.*; Frangiose, Diane*
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.

SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 440 of 501

BATES_RANGE : MRK-ABA0010013-MRK-ABA0010016
ATTACHMENTS : Attached to MRK-ABA0010012-MRK-ABA0010012
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 11/16/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Barr, Eliav; Beauchard, Lucine E.; Benezra-Kurshan, Diane; Bissett, Robert T.*; Block, Gilbert A.; Blois, David W.; Bold, Thomas M.; Bolognese, James A.; Brady, Leo M.; plus others cc: Boulware-Miller, Kay; Colbert Celia A.* Dalton, Daniel J.*; Frazier, Kenneth C.*; Glasser Harold A.*; Hacker, Michael A.*; Henshall, Ronald S.*; Gregory, Suzanne*; Matukaitis, Paul D.*; McGuire, Richard P.*; Quinlan, Michal D.*; Sodomora, Shirley E.*; Steinbugler, Kathryn; Weinstein, Bert I.*; Loy, Tobi R.*; Frangiose, Diane*
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 441 of 501

BATES_RANGE : MRK-ABC0024599-MRK-ABC0024599
ATTACHMENTS : Attaching MRK-ABC0024600-MRK-ABC0024600 Attaching MRK-ABC0024601-MRK-ABC0024603
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/28/02
AUTHOR : Fendelander, Helene C.; Nies, Alan S.; incorporaing e-mail from Lahner, Joanne* to others and cc: Henshall, Ronald S*; Steinbugler, Kathryn*; Dalton, Daniel*; Colbert, Celia A*; Hacker, Michael A.*; Lewis, Suzanne Gregory*, atukaitis, Paul D.*; McGuire
RECIPIENT : Boslego, John W.; Burek, Dennis; Chodakewitz, Jeffrey A.; Demopoulos, Laura A.; Ewanik, Daria; Fanelle, Christine; Gertz, Barry J.; Margolskee, Dorothy; Morrison, Briggs W.; Nies, Alan S.; Reicin, Alise S.; Reines, Scott A.; Reiss, Theodore; Sabbaj, Jacob
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 442 of 501

BATES_RANGE : MRK-ABC0024600-MRK-ABC0024600
ATTACHMENTS : Attached to MRK-ABC0024599-MRK-ABC0024599
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/28/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Anstice, David W.; Barr, Eliav; Beauchard, Lucine E.; Benezra-Kurshan, Diane; Bissett, Robert T.*; Block, Gilbert A.; Blois, David W.; Bold, Thomas M.; Bolognese, James A.; Cannell, Thomas R.; Casola, Tom M.; Chitty, Dawn; Curtis, Sean P.; Davidovic, David L.; Reicin, Alise S.; Reines, Scott A.; Ronca, Philip D.; Rush, Janet E.; Scolnick, Edward M.; Scott, Didi; Sheares, Bradley T.; Sherwood, Louis M.; Silverman, Robert E.; plus others from distribution cc: Colbert, Celia A.*; Dalton, Daniel J.*; Frazier, Kenneth C.*; Hacker, Michael A.*; Henshall, Ronald S.*; Lewis, Suzanne Gregory*; Matukaitis, Paul D.*; McGuire, Richard P.*; Steinbugler, Kathryn*; Weinstein, Bert I.*
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures

W_HELD_REDAC : taken in anticipation of litigation.
SM_REC : Entire document.
BOX_NUM : GRANTED
FOLDERNO : 6
: 16

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BATES_RANGE : MRK-ABC0024601-MRK-ABC0024603
ATTACHMENTS : Attached to MRK-ABC0024599-MRK-ABC0024599
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 08/28/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Boslego, John; Burek, Dennis; Chodakewitz, Jeffrey; Demopoulos, Laura A.; Ewanik, Daria;
Gertz, Barry; Margolskee, Dorothy; Morrison, Briggs; Nies, Alan; Reicin, Alise; Reines, Scoft;
Reiss, Theodore; Sabbaj, Jacobo; Sadoff, Jerald; Schodel, Florian; plus others from distribution
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory
measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 444 of 501

BATES_RANGE : MRK-ABK0150825-MRK-ABK0150827
ATTACHMENTS : Attaching MRK-ABK0150828-MRK-ABK0150865 Attaching MRK-ABK0150866-MRK-
ABK0150904
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/04/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding a draft abstract concerning VIOXX study
results.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log.
First message not primarily for legal advice. Sent to many for review - Denied.
Second message from Lahner does not reveal legal advice - Denied.
Third message to Lahner related to prior comments of Lahner - Granted.
Fourth message reveals no request for advice or advice rendered by an attorney - Denied.
BOX_NUM : 6
FOLDERNO : 16

Document 445 of 501

BATES_RANGE : MRK-ABK0150828-MRK-ABK0150865
ATTACHMENTS : Attached to MRK-ABK0150825-MRK-ABK0150827
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/04/02
AUTHOR : Sperling, Rhoda S.
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.
DESCRIPTION : Internal form reflecting a request for legal advice and opinions regarding revised CV review
article.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a

lawyer may be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 446 of 501

BATES_RANGE : MRK-ABK0150866-MRK-ABK0150904
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 447 of 501

BATES_RANGE : MRK-ABK0328389-MRK-ABK0328597
PRIV_CLAIM : Attorney-Client Privilege
DATE : 09/25/00
AUTHOR : Longest, Greg; White, Carol
RECIPIENT : Greene, Douglas Alan
DESCRIPTION : Report reflecting a request for legal advice and opinions regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : p 328477 - Granted as redacted.
p 328478 - Granted as redacted.
p 328513 - Granted as redacted.
p 328534 - Denied because legal advise was not disclosed.
p 328565 - Denied because the fact that 3 departments, including legal are going to develop strategy is not confidential information protected by the privilege.
BOX_NUM : 6
FOLDERNO : 15

Document 448 of 501

BATES_RANGE : MRK-ABP0017652-MRK-ABP0017807
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/30/01
AUTHOR : Silverman, Robert E Curley, Paul E Snaveley, Duane Keyser, Janet Zhang, Ji Altmeyer, Anne Morrison, Mary Oxberry, Kathleen Winters, Conrad Edelman, Jonathan M Cheung, Anne H Williams, George Ball, William Knorr, Barb
RECIPIENT : Silverman, Robert E Curley, Paul E Snaveley, Duane Keyser, Janet Zhang, Ji Altmeyer, Anne Morrison, Mary Oxberry, Kathleen Winters, Conrad Edelman, Jonathan M Cheung, Anne H Williams, George Ball, William Knorr, Barbara; plus others from distribution
DESCRIPTION : Agenda reflecting a request for, and provision of, legal advice and opinions regarding study completion dates and legal advice and comments regarding product labeling were rendered.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : p. 17783 - Denied because time periods don't necessarily reflect legal advice. The fact that a comment relates to a legal issue does not necessarily mean that advice was given on the issue. Many legal requirements are known by regulatory staff.
BOX_NUM : 6
FOLDERNO : 15

Document 449 of 501

BATES_RANGE : MRK-ABT0074946-MRK-ABT0074946
ATTACHMENTS : Attaching MRK-ABT0074947-MRK-ABT0074948
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M.; Gertz,

Barry J.; Goldmann, Bonnie J.; Guess, Harry A.; Hostellely, Linda S.; Jerman, Jo C.; Leitmeyer, John E.; Morrison, Briggs W.; Nies, Alan S.; Oppenheimer, Leonard; plus others from distribution list cc: Lahner, Joanne*; Loy, Tobi R.*; Cabulong, Frederick X. P.; Gilchrist, Cynthia L.; Moore, Charlotte S.; Wuest, Anita; plus others from distribution list

DESCRIPTION : E-mail transmitting memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of Vioxx litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 450 of 501

BATES_RANGE : MRK-ABT0074947-MRK-ABT0074948
ATTACHMENTS : Attached to MRK-ABT0074946-MRK-ABT0074946
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostellely, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 451 of 501

BATES_RANGE : MRK-ABX0024854-MRK-ABX0024854
ATTACHMENTS : Attaching MRK-ABX0024855-MRK-ABX0024858
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie P.; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Ruef, Timothy F.

DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft letter to healthcare professionals dealing with VIGOR study.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART DENIED IN PART
SM_REC_EXPL : First message is not to lawyers - DENIED. Second message is mixed in purpose because it is sent to both lawyers and non-lawyers - DENIED. Third e-mail from Lahner - GRANTED.
BOX_NUM : 6
FOLDERNO : 16

Document 452 of 501

BATES_RANGE : MRK-ABX0024855-MRK-ABX0024858
ATTACHMENTS : Attached to MRK-ABX0024854-MRK-ABX0024854
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Blois, David W.; Goldmann, Bonnie J.; Reicin, Alise S.; Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Kornowski, Sophie P.; Schechter, Adam H.; Taglieber, Ulrich; Bold, Thomas M.; White-Guay, Brian; Braunstein, Ned S.; Silverman, Robert E.; Ruef, Timothy F.

DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding VIGOR study relating to prescribing and patient product information.
W_HELD_REDAC : Entire document.

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SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 6
FOLDERNO : 16

Document 453 of 501

BATES_RANGE : MRK-ABX0025878-MRK-ABX0025879
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 04/03/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Gertz, Barry J.; Greene, Douglas Alan; Honig, Peter K.; Goldmann, Bonnie J.; cc: Schechter, Adam H.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First six messages are either not sent to a lawyer or only copied to a lawyer. Legal advice, therefore, was either not the purpose or not the primary purpose of any of them - **Denied**. Seventh message from Lahner - **Granted**.
BOX_NUM : 6
FOLDERNO : 16

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BATES_RANGE : MRK-ACD0004645-MRK-ACD0004645
ATTACHMENTS : Attaching MRK-ACD0004646-MRK-ACD0004648
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/05/01
AUTHOR : Silverman, Robert E. incorporating email from Weiner, Jan D. to Lahner, Joanne*; Henshall, Ronald S.*
RECIPIENT : Weiner, Jan D. cc: Reicin, Alise S.; Demopoulos, Laura A.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft press release and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message and attachment are not primarily for legal advice - sent to many, including two lawyers. Not providing legal advice - only exploring alternative format for developing language for submission to DDMAC.
AMEND_SM_REC : NO CHANGE
AMEND_SM_EXPL : 1) Message (and attachment) were not primarily for legal advice because they were sent to many individuals that included two lawyers; 2) the content of the message did not convey legal advice - only a suggestion for an alternative format for developing language for a submission to the DDMAC.
BOX_NUM : 6
FOLDERNO : 17

Document 455 of 501

BATES_RANGE : MRK-ACD0004646-MRK-ACD0004648
ATTACHMENTS : Attached to MRK-ACD0004645-MRK-ACD0004645
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/05/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Weiner, Jan D. cc: Reicin, Alise S.; Demopoulos, Laura A.: incorporating email to Lahner, Joanne* and Henshall, Ronald*.
DESCRIPTION : Draft press release attached to email requesting legal advice and opinions from Lahner, Joanne* regarding press release and regulatory issues.
W_HELD_REDAC : Entire document.

Amended Special Master Recommended Ruling - PSC "600"

SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 6
FOLDERNO : 17

Document 456 of 501

BATES_RANGE : MRK-ACD0014124-MRK-ACD0014124
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/06/01
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Reicin, Alise S.; Silverman, Robert E.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner Joanne* regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction addresses how Lahner wants to develop language. Substantive legal advice is not disclosed.

BOX_NUM : 6
FOLDERNO : 17

Document 457 of 501

BATES_RANGE : MRK-ACD0024221-MRK-ACD0024222
ATTACHMENTS : Attaching MRK-ACD0024223-MRK-ACD0024224
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIOXX FDA letter.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.

BOX_NUM : 6
FOLDERNO : 16

Document 458 of 501

BATES_RANGE : MRK-ACD0024223-MRK-ACD0024224
ATTACHMENTS : Attached to MRK-ACD0024221-MRK-ACD0024222
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.
DESCRIPTION : Draft correspondence reflecting legal advice and opinions regarding Vioxx response to agency and promotional issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 6
FOLDERNO : 16

Document 459 of 501

BATES_RANGE : MRK-ACD0041501-MRK-ACD0041501
ATTACHMENTS : Attaching MRK-ACD0041502-MRK-ACD0041503
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Colbert, Celia A.*
RECIPIENT : Henshall, Ronald S.*; Lewis, Suzanne Gregory*; Lahner, Joanne*; Scolnick, Edward M.; Kim, Peter S; Greene, Douglas Alan; Gertz, Barry J.; Braunstein, Ned S.; Goldmann, Bonnie J; Silverman, Robert E.; plus others in distribution list cc: Frazier, Kenneth C.*
DESCRIPTION : E-mail reflecting legal advice and opinions regarding regulatory issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 460 of 501

BATES_RANGE : MRK-ACD0041502-MRK-ACD0041503
ATTACHMENTS : Attached to MRK-ACD0041501-MRK-ACD0041501
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Colbert, Celia A.*
RECIPIENT : Silverman, Robert; and others; cc: Frazier, Kenneth C.*
DESCRIPTION : Memorandum legal advice and opinions regarding trading restrictions in Merck securities.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 461 of 501

BATES_RANGE : MRK-ACO0016646-MRK-ACO0016646
ATTACHMENTS : Attaching MRK-ACO0016647-MRK-ACO0016648
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 04/23/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bold, Thomas M.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 462 of 501

BATES_RANGE : MRK-ACO0016647-MRK-ACO0016648
ATTACHMENTS : Attached to MRK-ACO0016646-MRK-ACO0016646
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : Undated
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostelley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED

Amended Special Master Recommended Ruling - PSC "600"

BOX_NUM : 6
FOLDERNO : 16

Document 463 of 501

BATES_RANGE : MRK-ACR0003979-MRK-ACR0003979
ATTACHMENTS : Attaching MRK-ACR0003980-MRK-ACR0003981
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/25/02
AUTHOR : Keyser, Janet M.
RECIPIENT : Olson, R. Brent* cc: Blois, David W.; Greene, Douglas Alan; Nies, Alan S.; Guerra, Jorge G.; de Jesus, Daniel G.; Sabbaj, Jacobo; Ditzler, Warren D.; Sanjuan, Nelly P.; Keyser, Janet M.
DESCRIPTION : E-mail reflecting a request for legal advice and legal opinions regarding an investigation outside the United States.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Olson, a non-lawyer, requested that information be sent to him by the author of the message. There was an inadequate explanation of why. Advice was not sought by Keyser.
AMEND_SM_REC : NO CHANGE
AMEND_SMEXPL : Information was requested by Olson but no reason was given for the request. No advice was sought by the one conveying the information sought by Olson.

BOX_NUM : 6
FOLDERNO : 16

Document 464 of 501

BATES_RANGE : MRK-ACR0003980-MRK-ACR0003981
ATTACHMENTS : Attached to MRK-ACR0003979-MRK-ACR0003979
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/25/02
AUTHOR : Keyser, Janet M.
RECIPIENT : Olson, R. Brent* cc: Blois, David W.; Greene, Douglas Alan; Nies, Alan S.; Guerra, Jorge G.; de Jesus, Daniel G.; Sabbaj, Jacobo; Ditzler, Warren D.; Sanjuan, Nelly P.
DESCRIPTION : Draft memorandum reflecting client confidences and a request for legal advice and opinions regarding Vigor study in Argentina.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a non-privileged communication is not privileged.
AMEND_SM_REC : NO CHANGE
AMEND_SMEXPL : Attachment to a non-privileged communication is not privileged.
BOX_NUM : 6
FOLDERNO : 16

Document 465 of 501

BATES_RANGE : MRK-ACW0001871-MRK-ACW0001871
ATTACHMENTS : Attaching MRK-ACW0001872-MRK-ACW0001874
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/02/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Blake, Mary Elizabeth cc: Weiner, Jan D.; Reicin, Alise S.; Distlerath, Linda M.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft public relations document involving VIGOR news release.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First message with attachment not sent to lawyers. No legal advice was sought - DENIED. Second message sent to lawyer and non-lawyer. Legal advice was not the primary purpose of the communication - DENIED. Third

message from Lahner - GRANTED.
BOX_NUM : 6
FOLDERNO : 16

Document 466 of 501

BATES_RANGE : MRK-ACW0001872-MRK-ACW0001874
ATTACHMENTS : Attached to MRK-ACW0001871-MRK-ACW0001871
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/02/00
AUTHOR : Lahner, Joanne*
RECIPIENT : Blake, Mary Elizabeth cc: Weiner, Jan D.; Reicin, Alise S.; Distlerath, Linda M.
DESCRIPTION : Draft public relations document reflecting legal advice and opinions regarding press release.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 467 of 501

BATES_RANGE : MRK-ACW0001875-MRK-ACW0001876
ATTACHMENTS : Attaching MRK-ACW0001877-MRK-ACW0001879
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/02/00
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Blake, Mary Elizabeth
DESCRIPTION : E-mail reflecting legal advice and opinions and a request for legal advice and opinions regarding draft public relations document involving VIGOR news release.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First message with attachment not sent to lawyers. No legal advice was sought - DENIED. Second message sent to lawyer and non-lawyer. Legal advice was not the primary purpose of the communication - DENIED. Third message from Lahner - GRANTED. Fourth message not primarily for legal advise because sent to lawyer and non-lawyer - DENIED.
BOX_NUM : 6
FOLDERNO : 16

Document 468 of 501

BATES_RANGE : MRK-ACW0001877-MRK-ACW0001879
ATTACHMENTS : Attached to MRK-ACW0001875-MRK-ACW0001876
PRIV_CLAIM : Attorney-Client Privilege
DATE : 05/02/00
AUTHOR : Reicin, Alise S.
RECIPIENT : Lahner, Joanne*; Blake, Mary Elizabeth
DESCRIPTION : Draft public relations document reflecting legal advice and opinions regarding possible press release.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 469 of 501

BATES_RANGE : MRK-ADI0006428-MRK-ADI0006428
ATTACHMENTS : Attaching MRK-ADI0006429-MRK-ADI0006431

Amended Special Master Recommended Ruling - PSC "600"

PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/05/01
AUTHOR : Silverman, Robert E. incorporating email from Weiner, Jan D. to Lahner, Joanne*; Henshall, Ronald S.*
RECIPIENT : Weiner, Jan D. cc: Reicin, Alise S.; Demopoulos, Laura A.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding draft press release.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message and attachment are not primarily for legal advice - sent to many, including two lawyers. Not providing legal advice - only exploring alternative format for developing language for submission to DDMAC.
AMEND_SM_REC : NO CHANGE
AMEND_SMEXPL : 1) Message (and attachment) were not primarily for legal advice because they were sent to many individuals that included two lawyers; 2) the content of the message did not convey legal advice - only a suggestion for an alternative format for developing language for a submission to the DDMAC.
BOX_NUM : 6
FOLDERNO : 17

Document 470 of 501

BATES_RANGE : MRK-ADI0006429-MRK-ADI0006431
ATTACHMENTS : Attached to MRK-ADI0006428-MRK-ADI0006428
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 10/05/01
AUTHOR : Silverman, Robert E.
RECIPIENT : Weiner, Jan D. cc: Reicin, Alise S.; Demopoulos, Laura A.: incorporating email to Lahner, Joanne* and Henshall, Ronald*.
DESCRIPTION : Draft press release attached to email requesting legal advice and opinions from Lahner, Joanne* regarding press release and regulatory issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 6
FOLDERNO : 17

Document 471 of 501

BATES_RANGE : MRK-ADI0006467-MRK-ADI0006467
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/05/01
AUTHOR : Weiner, Jan D.
RECIPIENT : Gertz, Barry J.; Reicin, Alise S.; Demopoulos, Laura A. cc: Fanelle, Christine; Bloomfield, John M.; Inoa-Gonzalez, Carmen
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding draft news release to DDMAC.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to how Lahner wants to develop language. It does not reveal legal advice.
AMEND_SM_REC : NO CHANGE
AMEND_SMEXPL : 1) Message (and attachment) were not primarily for legal advice because they were sent to many individuals that included two lawyers; 2) the content of the message did not convey legal advice - only a suggestion for an alternative format for developing language for a submission to the DDMAC.
BOX_NUM : 6
FOLDERNO : 17

Document 472 of 501

BATES_RANGE : MRK-ADI0006480-MRK-ADI0006480
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/06/01
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Reicin, Alise S.; Silverman, Robert E.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner Joanne* regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction addresses how Lahner wants to develop language. Substantive legal advice is not disclosed.
BOX_NUM : 6
FOLDERNO : 17

Document 473 of 501

BATES_RANGE : MRK-ADI0006484-MRK-ADI0006484
ATTACHMENTS : Attaching MRK-ADI0006485-MRK-ADI0006487
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/07/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Demopoulos, Laura A.; Fanelle, Christine; Bloomfield, John M.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to home Lahner wants to develop language. It does not reveal legal advice.
BOX_NUM : 6
FOLDERNO : 17

Document 474 of 501

BATES_RANGE : MRK-ADI0006485-MRK-ADI0006487
ATTACHMENTS : Attached to MRK-ADI0006484-MRK-ADI0006484
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/07/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Demopoulos, Laura A.; Fanelle, Christine; Bloomfield, John M.
DESCRIPTION : Draft press release attached to email incorporating legal advice and opinions from Lahner, Joanne* and legal regarding press release and regulatory issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to how Lahner wants to develop language. It does not reveal legal advice.
BOX_NUM : 6
FOLDERNO : 17

Document 475 of 501

BATES_RANGE : MRK-ADI0006839-MRK-ADI0006839
ATTACHMENTS : Attaching MRK-ADI0006840-MRK-ADI0006842
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/06/01
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Reicin, Alise S.; Silverman, Robert E.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding regulatory issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread is not listed on the privilege log.

In first message reference to Lahner reveals only how she wants to develop language. It does not reveal legal advice. Second message not primarily for legal advice. Copy went to Lahner, but addressed to a non-lawyer.

BOX_NUM : 6
FOLDERNO : 17

Document 476 of 501

BATES_RANGE : MRK-ADI0006840-MRK-ADI0006842
ATTACHMENTS : Attached to MRK-ADI0006839-MRK-ADI0006839
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/06/01
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Weiner, Jan D.; Gertz, Barry J. Lahner, Joanne*; Reicin, Alise S.; Silverman, Robert E.
DESCRIPTION : Draft public relations document reflecting a request for legal advice and opinions regarding drafting issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 6
FOLDERNO : 17

Document 477 of 501

BATES_RANGE : MRK-ADI0006843-MRK-ADI0006843
ATTACHMENTS : Attaching MRK-ADI0006844-MRK-ADI0006846
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/07/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Demopoulos, Laura A.; Fanelle, Christine; Bloomfield, John M.
DESCRIPTION : E-mail reflecting legal advice and opinions from Lahner, Joanne* regarding regulatory issues.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to how Lahner wants to develop language. It does not reveal legal advice.

BOX_NUM : 6
FOLDERNO : 17

Document 478 of 501

BATES_RANGE : MRK-ADI0006844-MRK-ADI0006846
ATTACHMENTS : Attached to MRK-ADI0006843-MRK-ADI0006843
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/07/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Demopoulos, Laura A.; Fanelle, Christine; Bloomfield, John M.
DESCRIPTION : Draft public relations document reflecting a request to Lahner, Joanne* for legal advice and opinions regarding drafting issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Redaction refers to how Lahner wants to develop language. It does not reveal legal advice.

BOX_NUM : 6
FOLDERNO : 17

Document 479 of 501

BATES_RANGE : MRK-ADI0008038-MRK-ADI0008038
ATTACHMENTS : Attaching MRK-ADI0008039-MRK-ADI0008039

Amended Special Master Recommended Ruling - PSC "600"

PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/25/01
AUTHOR : Baran, Lindy
RECIPIENT : Anstice, David W.; Blake, Mary Elizabeth; Beauchard, Lucine E.; Bissett, Robert T.*; Daigler, Nancy J.; Dixon, Wendy L.; Dorsa, Caroline; Gertz, Barry J.; Goldmann, Bonnie J.; Greene, Douglas Alan; Hirsch, Laurence J.; Jordan, Laura J.; Kaufman, Art; Kim, Peter S.; Kornowski, Sophie; Lahner, Joanne*; Lewent, Judy C.; McGlynn, Margaret G.; Nies, Alan S.; Reaves, Gregory E.; Reicin, Alise S.; Scolnick, Edward M.; Slater, Eve E.; Wainwright, Joan; Weiner, Jan D.; Wold-Olsen, Per cc: Colbert, Celia A.*; Frazier, Kenneth C.*
DESCRIPTION : E-mail reflecting enclosed legal advice and opinions of Frazier, Kenneth C.* regarding VIGOR regulatory issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 480 of 501

BATES_RANGE : MRK-ADI0008039-MRK-ADI0008039
ATTACHMENTS : Attached to MRK-ADI0008038-MRK-ADI0008038
PRIV_CLAIM : Attorney-Client Privilege
DATE : 01/25/01
AUTHOR : Frazier, Kenneth C.*
RECIPIENT : Anstice, David W., Bissett, Robert, Lahner, Joanne *, Dixon, Wendy L., Dorsa, Caroline, Gertz, Barry J., Goldmann, Bonnie J., Greene, Douglass Dr., Kaufman, Art, Kim Peter S, plus others from distribution list; cc: Colbert, Celia A. *
DESCRIPTION : Memorandum reflecting legal advice and opinions regarding trading caution and Vioxx advisory committee meeting.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
BOX_NUM : 6
FOLDERNO : 16

Document 481 of 501

BATES_RANGE : MRK-ADI0025960-MRK-ADI0025961
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 04/06/02
AUTHOR : Wambold, Deb
RECIPIENT : Reicin, Alise S.; Schechter, Adam H.; Gertz, Barry J.; Coram, Greg; Kim, Peter S. cc: Lewis, Suzanne M. Gregory*; Fanelle, Christine; Lahner, Joanne*; Weiner, Jan D.; Reaves, Gregory E.; Spencer, Linda G.; Patryk, Robb*; Reed, Pamela R.; Mechler, Elaine H
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding label change and public relations issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to many and copied to lawyers. It was not sent primarily for obtaining legal advice.
BOX_NUM : 6
FOLDERNO : 16

Document 482 of 501

BATES_RANGE : MRK-ADI0025962-MRK-ADI0025963
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 04/06/02
AUTHOR : Wambold, Deb
RECIPIENT : Reicin, Alise S.; Schechter, Adam H.; Gertz, Barry J.; Coram, Greg; Kim, Peter S. cc: Lewis, Suzanne M. Gregory*; Fanelle, Christine; Lahner, Joanne*; Weiner, Jan D.; Reaves, Gregory E.;

Spencer, Linda G.; Patryk, Robb*; Reed, Pamela R.; Mechler, Elaine H
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding regulatory issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Message sent to many and copied to lawyers. It was not sent primarily for obtaining legal advice.
BOX_NUM : 6
FOLDERNO : 16

Document 483 of 501

BATES_RANGE : MRK-ADM0077639-MRK-ADM0077640
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Brakewood, E.B.E.; incorporating e-mail to Lahner, Joanne*
RECIPIENT : Regnante, Jeanne Marie; Goldberg, Allan I.; Reicin, Alise S.; Curtis, Sean P.; Melian, Agustin; Truitt, Ken E.; Star, Vicki L.; Ben-Yehuda, Ori; Geba, Gregory P.; Chang, David J.; Fanelle, Christine cc: El-Dada, Riad H.

DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding rules and procedures to change labels.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.
BOX_NUM : 6
FOLDERNO : 16

Document 484 of 501

BATES_RANGE : MRK-ADW0082173-MRK-ADW0082174
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/14/02
AUTHOR : Lahner, Joanne*
RECIPIENT : Dunn, Jim cc: Lewis, Suzanne M. Gregory*; Ralls-Morrison, Desiree Ann*
DESCRIPTION : E-mail reflecting legal advice and opinions of Lahner, Joanne* regarding draft of New Vioxh Circular and related sampling.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First message copied to one lawyer and sent to many other people. Legal advice was not the primary purpose of the communication - **Denied**.
Second and third messages simply sent first message along FYI. No legal advice being given - **Denied**.
Fourth and fifth messages to and from Lahner - **Granted**.
BOX_NUM : 6
FOLDERNO : 16

Document 485 of 501

BATES_RANGE : MRK-AFI0153966-MRK-AFI0153966
ATTACHMENTS : Attaching MRK-AFI0153967-MRK-AFI0154001
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S. cc: Baumgartner, Susan L.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding study presentation slides.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First message and attachment sent

to three, only one of whom was a lawyer. It was not primarily for obtaining legal advice - DENIED. Second message from Lahner - GRANTED.

BOX_NUM : 6
FOLDERNO : 16

Document 486 of 501

BATES_RANGE : MRK-AFI0153967-MRK-AFI0154001
ATTACHMENTS : Attached to MRK-AFI0153966-MRK-AFI0153966
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/21/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Reicin, Alise S. cc: Baumgartner, Susan L.
DESCRIPTION : Presentation reflecting legal advice and opinions regarding promotional, study and FDA regulatory issues.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 6
FOLDERNO : 16

Document 487 of 501

BATES_RANGE : MRK-AFO0163276-MRK-AFO0163276
ATTACHMENTS : Attaching MRK-AFO0163281-MRK-AFO0163303 Attaching MRK-AFO0163279-MRK-AFO0163279
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen; Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding internal presentation of epi study.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Sent to both lawyers and non-lawyers for comment. Not primarily concerned with obtaining legal advice.
BOX_NUM : 6
FOLDERNO : 16

Document 488 of 501

BATES_RANGE : MRK-AFO0163279-MRK-AFO0163279
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged.
BOX_NUM : 6
FOLDERNO : 16

Document 489 of 501

BATES_RANGE : MRK-AFO0163281-MRK-AFO0163303
ATTACHMENTS : Attached to MRK-AFO0163276-MRK-AFO0163276
PRIV_CLAIM : Attorney-Client Privilege
DATE : 02/26/02
AUTHOR : Grosser, Karen
RECIPIENT : Lahner, Joanne*; Reicin, Alise S.; Gertz, Barry J. cc: Reed, Pamela R.; Inoa-Gonzalez, Carmen; Curtis, Sean P.; Simon, Thomas J.; DiBattiste, Peter M.; Demopoulos, Laura A.
DESCRIPTION : Presentation sent to Lahner, Joanne* for legal advice and opinions regarding regulatory issues.

Amended Special Master Recommended Ruling - PSC "600"

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.

BOX_NUM : 6
FOLDERNO : 16

Document 490 of 501

BATES_RANGE : MRK-AFV0078963-MRK-AFV0078964
ATTACHMENTS : Attaching MRK-AFV0078965-MRK-AFV0078966
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.

DESCRIPTION : E-mail reflecting legal advice and opinions regarding draft VIOXX FDA letter.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Whole e-mail thread has not been listed on the privilege log. First two messages sent to Lahner and many others. It was not primarily for the purpose of obtaining legal assistance. Third message from Lahner reveals no comments of Lahner.

BOX_NUM : 6
FOLDERNO : 16

Document 491 of 501

BATES_RANGE : MRK-AFV0078965-MRK-AFV0078966
ATTACHMENTS : Attached to MRK-AFV0078963-MRK-AFV0078964
PRIV_CLAIM : Attorney-Client Privilege
DATE : 12/10/01
AUTHOR : Lahner, Joanne*
RECIPIENT : Braunstein, Ned S. cc: Reines, Scott A.; Reicin, Alise S.; Bain, Raymond P.; Gertz, Barry J.; Silverman, Robert E.

DESCRIPTION : Draft internal document reflecting legal advice and opinions regarding Vioxx response to agency and regulatory and study issues.

W_HELD_REDAC : Entire document.
SM_REC : GRANTED IN PART; DENIED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged, but comments of lawyer on attachment can be redacted before production.

BOX_NUM : 6
FOLDERNO : 16

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BATES_RANGE : MRK-AHE0030547-MRK-AHE0030548
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Brakewood, E.B.E.; incorporating e-mail to Lahner, Joanne*
RECIPIENT : Regnante, Jeanne M.; Goldberg, Allan I.; Reicin, Alise S.; Curtis, Sean P.; Melian, Agustin; Truitt, Ken E.; Star, Vicki L.; Ben-Yehuda, Ori; Geba, Gregory P.; Chang, David J.; Fanelle, Christine cc: El-Dada, Riad H.

DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding Vioxx label change.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 6
FOLDERNO : 16

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BATES_RANGE : MRK-AHE0051119-MRK-AHE0051120
PRIV_CLAIM : Attorney-Client Privilege
DATE : 04/09/02
AUTHOR : Brakewood, E.B.E.; incorporating e-mail to Lahner, Joanne.*
RECIPIENT : Regnante, Jeanne M.; Goldberg, Allan I.; Reicin, Alise S.; Curtis, Sean P.; Melian, Agustin; Truitt, Ken E.; Star, Vicki L.; Ben-Yehuda, Ori; Geba, Gregory P.; Chang, David J.; Fanelle, Christine cc: El-Dada, Riad H.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding Vioxx label change.
W_HELD_REDAC : Redacted portion(s).
SM_REC : GRANTED
SM_REC_EXPL : Granted as redacted.

BOX_NUM : 6
FOLDERNO : 16

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BATES_RANGE : MRK-AKU0001931-MRK-AKU0001931
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/06/01
AUTHOR : Demopoulos, Laura A.
RECIPIENT : Weiner, Jan D. cc: Gertz, Barry J.; Reicin, Alise S.; Silverman, Robert E.; Lahner, Joanne*
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding CV study release to the DDMAC.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : Redaction addresses how Lahner wants to develop language. It does not reveal legal advice.
AMEND_SM_REC : NO CHANGE
AMEND_SMEXPL : 1) Message (and attachment) were not primarily for legal advice because they were sent to many individuals that included two lawyers; 2) the content of the message did not convey legal advice - only a suggestion for an alternative format for developing language for a submission to the DDMAC.

BOX_NUM : 6
FOLDERNO : 17

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BATES_RANGE : MRK-AAD0108323-MRK-AAD0108324
ATTACHMENTS : Attaching MRK-AAD0108325-MRK-AAD0108331
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Truitt, Ken E.
RECIPIENT : Quinlan, Michael D.* cc: Reicin, Alise S.
DESCRIPTION : E-mail reflecting legal advice and opinions regarding public relations issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : First message not sent to a lawyer - DENIED. It is not revealed how first non-privileged message was attached to a confidential communication to Quinlan. Quinlan's message sending the first message to othes for review and comment is not shown to be necessary for Quinlan's advice as opposed to a circulation in the normal course of buisness. Additionally, one of the addressees, Kenneth F. Pruitt, is not identified or on the list of corporate employees. Messaeg from Quinlan about wrong address is not legal.

Responsive communication from Truitt is not privileged because of deficiency in first Quinlan message.

BOX_NUM : 6-A

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BATES_RANGE : MRK-ABK0165059-MRK-ABK0165059
ATTACHMENTS : Attaching MRK-ABK0165060-MRK-ABK0165065
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Bolton, Anne H.*; Quinlan, Michael D.* cc: Schwartz, Jules I.; Truitt, Ken E.
DESCRIPTION : E-mail reflecting a request for legal advice and opinions regarding providing appropriate responses to media for anticipated questions concerning viox and non-GI safety issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Mixed purpose - sent to lawyer and non-lawyer.
BOX_NUM : 6-A

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BATES_RANGE : MRK-ABK0165060-MRK-ABK0165065
ATTACHMENTS : Attached to MRK-ABK0165059-MRK-ABK0165059
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/08/01
AUTHOR : Reicin, Alise S.
RECIPIENT : Bolton, Anne H.*; Quinlan, Michael D.* cc: Schwartz, Jules I.; Truitt, Ken E.
DESCRIPTION : Draft public relations document forwarded to Quinlan, Michael* and Bolton, Anne* for legal advice, review and opinions regarding CV issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged. Comments on attachment are those of Reicin, not an attorney.
BOX_NUM : 6-A

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BATES_RANGE : MRK-ACW0001209-MRK-ACW0001209
ATTACHMENTS : Attaching MRK-ACW0001210-MRK-ACW0001213
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/23/00
AUTHOR : Basaman, Mary Elizabeth incorporating email from Lahner, Joanne*
RECIPIENT : Hirsch, Laurence J.; Redmond, Mary H.; Jordan, Laura J.; Reaves, Gregory E.; Kaufman, Art; Daigler, Nancy J. incorporating email from Stenn, Tracy to Lahner, Joanne; Rode, Robert J.; Reicin, Alise S.; cc: Basaman, Mary Elizabeth; Shank-Samiec, Dolores M
DESCRIPTION : E-mail reflecting legal advice and opinions regarding Vigor news release.
W_HELD_REDAC : Redacted portion(s).
SM_REC : DENIED
SM_REC_EXPL : First message sent to lawyer and non-lawyers. Legal advice not the primary purpose. Second message not to or from attorneys.
BOX_NUM : 6-A

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BATES_RANGE : MRK-ACW0001210-MRK-ACW0001213
ATTACHMENTS : Attached to MRK-ACW0001209-MRK-ACW0001209
PRIV_CLAIM : Attorney-Client Privilege
DATE : 10/23/00
AUTHOR : Blake, Mary Elizabeth incorporating email to Lahner, Joanne*
RECIPIENT : Hirsch, Laurence J.; Redmond, Mary H.; Jordan, Laura J.; Reaves, Gregory E.; Kaufman, Art;

Daigler, Nancy J. cc: Ogden, Tracy C.; Wambold, Deb
DESCRIPTION : Draft public relations document reflecting legal advice and opinions regarding Vigor study presentation issues.
W_HELD_REDAC : Entire document.
SM_REC : DENIED IN PART; GRANTED IN PART
SM_REC_EXPL : Attachment to a mixed purpose communication is not privileged but the attached comments of a lawyer may be redacted before production.
BOX_NUM : 6-A

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BATES_RANGE : MRK-AFV0204169-MRK-AFV0204169
ATTACHMENTS : Attaching MRK-AFV0204170-MRK-AFV0204171
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, Raymond P.; Barr, Eliav; Blois, David W.; Braunstein, Ned S.; Distlerath, Linda M; Gertz, Barry J.; Goldmann, Bonnie J; Guess, Harry A; Hostalley, Linda S; Jerman, Jo C.; Leitmeyer, John E.; cc: Lahner, Joanne*; Loy, Tobi R.; Cabulong, Frederick X. P.; Gilchrist, Cynthia L.; Moore, Charlotte S.; Wuest, Anita

DESCRIPTION : E-mail reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Attorney-Client Privilege and Work Product - GRANTED
BOX_NUM : 6-A

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BATES_RANGE : MRK-AFV0204170-MRK-AFV0204171
ATTACHMENTS : Attached to MRK-AFV0204169-MRK-AFV0204169
PRIV_CLAIM : Attorney-Client Privilege and Work Product
DATE : 02/21/02
AUTHOR : Lewis, Suzanne M. Gregory*
RECIPIENT : Bain, R.; Barr, E.; Blois, D.; Braunstein, Ned; Distlerath, L.; Gertz, B.; Goldmann, B.; Guess, H.; Hostalley, L.; Jerman, Jo cc: Lahner, Joanne*; Loy, Tobi*; Cabulong, Frederick X.P.; Felicetta, Patrick plus others in the distribution

DESCRIPTION : Memorandum reflecting legal advice and opinions regarding litigation issues and preparatory measures taken in anticipation of litigation.
W_HELD_REDAC : Entire document.
SM_REC : GRANTED
SM_REC_EXPL : Attorney Client Privilege and Work Product - GRANTED
BOX_NUM : 6-A