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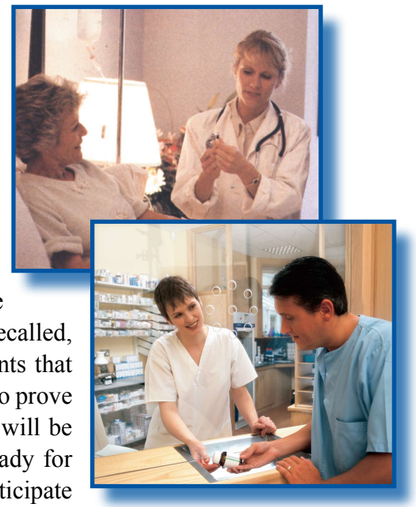
Representing Plaintiffs Exclusively in the Following Cases:

- Medical Malpractice
- Nursing Home
- Automobile Accidents
- Products Liability
- Insurance Disputes
- Drugs & Medical Devices

Hearsay

Vioxx Litigation Update



The coordinated federal proceedings for Vioxx are now underway. Judge Fallon in New Orleans is overseeing these cases, and hundreds have been filed and transferred to his court from federal courts around the country. While it will be another year or more before any of the cases in the federal system are ready for trial, the cases are moving more rapidly than normal due to the fact that much of the discovery required for the cases was completed in state courts prior to the recall. Obviously, now that Vioxx has been recalled, there are a large number of additional documents that will need to be produced and reviewed in order to prove the liability case. Also, additional depositions will be required in order for the federal cases to be ready for transfer back to their local jurisdictions. We anticipate that ultimately there will be tens of thousands of cases pending in the federal proceedings. Given this, it is likely that the Court will require that plaintiffs prove the merit of their cases very early in the litigation process through significant expert testimony in order to eliminate cases without merit. The first state court trials in the country were set for this Spring in Alabama and Texas. Unfortunately, they have been postponed at the request of Judge Fallon. Hopefully, these cases will be permitted to proceed shortly since they are largely outside the jurisdiction of the federal courts and will be helpful to the plaintiffs in establishing values for these cases and determining the strength of the liability case against Merck. It appears that **Alley & Ingram** will have the first trial scheduled in Florida in the Spring of 2006. There are a number of studies that have been published over the past few months with respect to Vioxx. Some of the studies have shown a significant increased risk of heart attacks and strokes, especially when taken on a daily basis for more than eighteen months at high doses. There are also studies that support causation at more common doses taken for shorter periods of time. If you have taken Vioxx and sustained a cardiovascular injury (heart attack, stroke, or cardiac arrest), please contact **Alley & Ingram** for a consultation regarding your legal rights.

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Dow Corning Claims Update

The Dow Corning Claims Facility has been plagued with problems since its inception in June of 2004. Claimants were assured timely processing of their claims. Currently, there is a two-year backlog in claims that have yet to be reviewed or paid. The few disease claim reviews that have occurred have largely been unfavorable to claimants, such that some claimants have purposely delayed the filing of their claims in hopes that changes would occur at the Claims Facility in the coming months that would make the process friendlier to victims. It appears that those changes are now on their way. Earlier this year, the Tort Claimants Committee reported to the Court the concerns of claimants and their attorneys about inexcusable delays, processing errors, and unfair claims review procedures. In response to these concerns, the Court ordered an independent audit of the Claims Facility management and its claims processing procedures. Subsequent to the audit, Wendy Trachte-Huber, the Claims Administrator who established the Claims Facility, tendered her resignation effective April 22, 2005. It is anticipated that there will be sweeping changes at the Claims Facility in the coming months, with the hiring of new management, retraining of employees, and a retooling of the claims processing procedures. In the past couple of weeks, we have seen a significant increase in the number of claims reviews being completed by the Claims Facility. These reviews have included rupture and disease claims, most of which have been favorable. We are hopeful that the current pace will be maintained, such that the two-year backlog can be decreased significantly over the coming months. At this point, no one really knows for certain when any particular claim will be reviewed, so we appreciate your patience as the Claims Facility works to resolve its issues. While the delays are frustrating, claimants whose claims have not yet been reviewed may be better off than those who received earlier reviews based upon the information that we have been provided regarding the claims review process with the original Claims Administrator. The Claims Facility recently released some interesting statistics. Of the 145,000 women who have claims against Dow Corning in the bankruptcy proceedings, less than 1% of those women are pursuing individual lawsuits. So far, approximately 58,000 women have filed proof of manufacturer submissions, the first step in applying for benefits. Of those submissions, 87% have been reviewed so far and 82% have been approved for further processing of their disease, explant and rupture claims. All of the payments made so far are for Class 5 claimants **only** (those women who were implanted with an implant manufactured and sold by Dow Corning). No payments have been made to Class 7 claimants, those with "component part" claims where they were implanted with a product made by another company that contained silicone gel manufactured by Dow Corning. Those claims will not be paid until 2007, at the earliest. The deadline for applying for rupture compensation will expire on June 1, 2006. Women who desire to have their implants removed should keep this deadline in mind in scheduling their explantation surgeries. The Explant Assistance Program, designed to assist women in locating plastic surgeons willing to remove the implants in exchange for the $5,000 explantation payment, has been improved recently and is an attractive option for women still considering explantation. You can obtain more information about this program by contacting **Alley & Ingram** or the Claims Facility at 1-866-874-6099 and asking for an Explant Assistance specialist/reviewer.

CLAIM CATEGORY	NUMBER OF CLAIMS PAID (through 3/31/05)	TOTAL PAID (through 3/31/05)
EXPEDITED RELEASE	7,092	$13,835,977.05
EXPLANT	8,137	$40,045,259.92
RUPTURE	5,280	$104,998,979.37
DISEASE	3,286	$49,197,665.90
TOTAL	23,795	$208,077,882.24

Hormone Replacement Therapy Litigation

We now represent nearly 100 women who took hormone replacement therapy drugs (such as Prempro, Premphase, and Premarin taken in combination with Provera or another progestin) and developed breast cancer. There are more than 7,000 such claims currently pending in coordinated federal and state proceedings. The first trials for these cases have been set for May of 2006 in Little Rock, Arkansas. **Alley & Ingram** has been involved in the review of tens of millions of pages of documents as a member of the national steering committee for this litigation. These documents provide great insight into the lengths that drug companies are willing to go to promote their products: ghostwriting scientific and lay press articles touting unapproved uses or unproven benefits of the drugs to skirt FDA regulations; using advertising agencies (rather than scientists) to write warning labels to ensure that they don't create alarm for patients and doctors; paying charitable organizations to promote products for unapproved uses; and utilizing aggressive tactics to quiet those who question the safety of their drugs. If you have taken hormone replacement therapy drugs and developed breast cancer, please contact **Alley & Ingram** for a free consultation regarding your legal rights as soon as possible as the statute of limitations deadline for pursuing such claims is fast approaching.

Drug & Medical Device Litigation

We are currently litigating or investigating claims involving a number of drugs and medical devices. Please contact us if you have suffered injuries as a result of your use of any of these products:

- **Vioxx**
- **Bextra**
- **Crestor**
- **Failed Medical Devices**
- **Ephedra**
- **Prempro**
- **Hormone Replacement Therapy**
- **Dow Corning Breast Implants**

Bextra Withdrawn From Market

Bextra, a popular arthritis drug that is similar to both Vioxx and Celebrex, was withdrawn from the market recently due to safety concerns. Studies have shown that Bextra users have a significantly increased risk of heart attacks and strokes. The Bextra data is very similar to that seen with Vioxx, which was withdrawn from the market in September of 2004. There are also a number of patients who died or sustained serious injuries due to Stevens Johnson Syndrome and Toxic Epidermal Necrolysis (known as TENS), both of which are life threatening allergic reactions associated with Bextra. The Bextra litigation is still in its infancy. A request for federal court coordination of these cases is pending, but very few cases have been filed so far. If you have taken Bextra and sustained a significant injury (heart attack, stroke, cardiac arrest, Stevens Johnson Syndrome or TENS), please contact **Alley & Ingram** for a free consultation regarding your legal rights.