

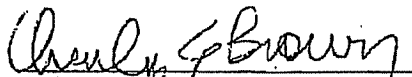
SETTLEMENT AGREEMENT

The parties in Moms Against Mercury, et al. v. Andrew von Eschenbach, et al., Civ. No. 07-2332 (ESH/JMF) (D.D.C.) (filed Dec. 28, 2007), hereby agree to the following:

1. The United States Food and Drug Administration agrees that it will complete the classification process for encapsulated amalgam alloy and dental mercury, referenced in 73 Fed. Reg. 22,877 (Apr. 28, 2008), by July 28, 2009.
2. The United States Food and Drug Administration will post the attached material on its website, replacing the material currently at that site.
3. The parties will stipulate to the dismissal of the above-referenced case, without prejudice, with each party to bear its own costs and attorney fees.

FOR PLAINTIFFS:


FOR DEFENDANTS:



CHARLES G. BROWN
316 F. Street, N.E., Suite 210
Washington, D.C. 20006
202-544-6333



DRAKE CUTINI
Office of Consumer Litigation
U.S. Department of Justice
PO. Box 386
Washington, D.C. 20044
202-307-0044



WENDY S. VICENTE
Associate Chief Counsel
U.S. Dept. of Health & Human Services
Office of the General Counsel
5600 Fishers Lane
Rockville, MD 20857
(301) 827-7138