

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This Document Relates to:

Merle Durell,

Plaintiff,

v. Civil No. 06-2172 (DWF/AJB)

Guidant Corporation, Cardiac Pacemakers,
Inc., and Guidant Sales Corporation,

Defendants.

**ORDER FOR VOLUNTARY
DISMISSAL WITHOUT PREJUDICE**

On October 31, 2006, Plaintiff, Merle Durell, filed a Notice of Voluntary Dismissal pursuant to Federal Rule of Civil Procedure 41(a). After consideration of the submission and review of the procedural history of the file,

IT IS HEREBY ORDERED AND ADJUDGED:

1. Plaintiff Merele Durell's claims expressed in the Complaint are hereby **DISMISSED WITHOUT PREJUDICE.**

2. Each party is to bear its own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 2, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court