

**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:

Peter Dame, Chester Collins, Joseph Ebert,
Gilbert Handy, Paula Iannone, John Kenny,
Esther McQuade, Benjamin Rutkowski,
Philip Williams, and Kathleen Eisenberg,

Plaintiffs,

v. Civil No. 06-3069 (DWF/AJB)

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

Defendants.

(as to Plaintiff Handy)

ORDER

Plaintiffs filed their Complaint on July 20, 2006. Plaintiff Gilbert Handy died on August 10, 2006. Pursuant to Federal Rule of Civil Procedure 25(a)(1), Gilbert H. Handy, Jr. now seeks an Order from this Court substituting him, in his capacity as Executor of the Estate of Gilbert H. Handy, Sr., as a plaintiff in this action. Having considered the submissions and reviewed the procedural history of the file, **IT IS**

HEREBY ORDERED:

1. Gilbert H. Handy, Jr.'s Motion to Substitute Party (MDL No. 05-1708 (DWF/AJB), Doc. No. 659; Civ. No. 06-3069 (DWF/AJB), Doc. No. 4) is **GRANTED**.

2. Gilbert H. Handy, Jr., in his capacity as Executor of the Estate of Gilbert H. Handy, Sr., shall be substituted for Gilbert H. Handy, Sr., referred to in the Complaint as “Gilbert Handy,” in the above-captioned matter.

Dated: September 28, 2006

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