

**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:

Donald Fugate, George Alles, III, Wesley  
Bonecutter, Jerry Smith, David Johnson,  
Donald Fondy, and Anthony Germinaro,

Plaintiffs,

v. Civil No. 06-4262 (DWF/AJB)

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

Defendants.

(as to Plaintiff Wesley Bonecutter only)

**ORDER FOR VOLUNTARY  
DISMISSAL WITHOUT PREJUDICE**

On December 14, 2006, Plaintiff Wesley Bonecutter signed a Motion to Dismiss Without Prejudice (Civ. No. 06-4262 (DWF/AJB), Doc. No. 3) 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 Bonecutter's claims contained in the Complaint (Civ. No. 06-4262 (DWF/AJB) Doc. No.1) are hereby **DISMISSED WITHOUT PREJUDICE**.

2. Each party is to bear its own costs.

**LET JUDGMENT BE ENTERED ACCORDINGLY WITH RESPECT TO  
PLAINTIFF WESLEY BONECUTTER ONLY.**

Dated: December 22, 2006

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