

**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:

William J. Frayer,

Plaintiff,

v. Civil No. 06-5074 (DWF/AJB)

Guidant Corporation; Guidant Sales
Corporation; Cardiac Pacemakers Inc.;
Boston Scientific Corporation; Cedars Sinai
Medical Center; and Does 1-100, inclusive,

Defendants.

(as to Defendant Cedars Sinai Medical Center
only)

**ORDER FOR DISMISSAL
WITHOUT PREJUDICE**

On March 1, 2007, Plaintiff William J. Frayer filed a Notice of Voluntary Dismissal (MDL No. 05-1708 (DWF/AJB), Doc. No. 1247)¹ pursuant to Federal Rule of Civil Procedure 41(a) with respect to his claims against Defendant Cedars Sinai Medical Center. After consideration of the submissions and review of the procedural history of the file,

IT IS HEREBY ORDERED:

¹ Plaintiff filed its motion only in the master case. It should have filed its motion in both the original case Civil No. 06-5074 (DWF/AJB) and in MDL 05-1708 (DWF/AJB).

1. Plaintiff William J. Frayer's claims against Defendant Cedars Sinai Medical Center expressed in the Complaint (Civil No. 06-5074 (DWF/AJB), Doc. No. 1) are **DISMISSED WITHOUT PREJUDICE**.

2. Each party to bear its own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY WITH RESPECT TO DEFENDANT CEDARS SINAI MEDICAL CENTER ONLY.

Dated: March 5, 2007

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