

**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:

Dina Smith-Toscano,

Plaintiff,

v. Civil No. 06-5075 (DWF/AJB)

Guidant Corporation; Guidant Sales
Corporation; Cardiac Pacemakers Inc.;
Boston Scientific Corporation; Mission
Hospital Regional Medical Center; and Does
1 through 100, inclusive,

Defendants.

(as to Defendant Mission Hospital Regional
Medical Center only)

**ORDER FOR DISMISSAL
WITH PREJUDICE**

On February 27, 2007, Plaintiff Dina Smith-Toscano filed a Notice of Voluntary Dismissal (MDL No. 05-1708 (DWF/AJB), Doc. No. 1223; Civ. No. 06-5075 (DWF/AJB), Doc. No. 3) pursuant to Federal Rule of Civil Procedure 41(a) with respect to his claims against Defendant Mission Hospital Regional Medical Center. After consideration of the submissions and review of the procedural history of the file,

IT IS HEREBY ORDERED:

1. Plaintiff Dina Smith-Toscano's claims against Defendant Mission Hospital Regional Medical Center expressed in the Complaint (Civil No. 06-5075 (DWF/AJB), Doc. No. 1) are **DISMISSED WITH PREJUDICE**.

2. Each party to bear its own costs.

**LET JUDGMENT BE ENTERED ACCORDINGLY WITH RESPECT TO
DEFENDANT MISSION HOSPITAL REGIONAL MEDICAL CENTER ONLY.**

Dated: March 5, 2007

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