

**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:

Marylou Armuth, individually and as Representative of the Estate of Charles Armuth, deceased; John A. Backlund, individually and as Representative of the Estate of Betty Backlund, deceased; Kimberly Bailey; James Baker; Melita Bena, individually and as Representative of the Estate of Lawrence Bena; Jerri Ceccareilli; Orami Coleman; Patsy Crisan, individually and as Representative of the Estate of Robert Crisan; Donald Dobbs; Eugene Fezi; Charles Gaumer; William Hines; Theodore Holl; Mitchell Allen Huston; Patrick Kelly; William Lauenroth; Teresa H. Lee, individually and as Representative of the Estate of William Lee; Billie Lichti; Richard Schmidt; Frank Stewart; and Frank Rocha,

Plaintiffs,

v. Civil No. 07-08 (DWF/AJB)

Guidant Corporation; Guidant Sales Corporation; Advanced Cardiovascular Systems, Inc.; Cardiac Pacemakers Inc.; Devices for Vascular Intervention, Inc.; Heart Rhythum Technologies, Inc.; Origin Medsystems, Inc.; Minimally Invasice Systems Group; and Boston Scientific Corporation,

Defendants.

**ORDER FOR DISMISSAL  
WITHOUT PREJUDICE**

(as to Defendant Advanced Cardiovascular  
Systems, Inc., only)

Plaintiffs, by and through their counsel, filed a Notice of Voluntary Dismissal Without Prejudice on April 17, 2007 (MDL 05-1708 (DWF/AJB), Doc. No. 1597)<sup>1</sup> pursuant to Federal Rule of Civil Procedure 41 with respect to their claims against Defendant Advanced Cardiovascular Systems, Inc. After consideration of the submissions and review of the procedural history of the file,

**IT IS HEREBY ORDERED:**

1. Plaintiffs' claims against Defendant Advanced Cardiovascular Systems, Inc., expressed in the Complaint (Civil No. 07-08 (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 ADVANCED CARDIOVASCULAR SYSTEMS, INC., ONLY.**

Dated: April 30, 2007

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

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<sup>1</sup> Plaintiffs filed their Notice of Voluntary Dismissal only in the master case MDL 05-1708 (DWF/AJB). They should have filed their Notice of Voluntary Dismissal in both the original case 07-08 (DWF/AJB) and the master case MDL 05-1708 (DWF/AJB).