

**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:

Sallie Everett, individually and as successor
in interest to decedent, Albert Everett,

Plaintiff,

v. Civil No. 07-1120 (DWF/AJB)

Guidant Corporation; Guidant Sales
Corporation; Cardiac Pacemakers, Inc.;
Boston Scientific Corporation; and Memorial
Hospitals Association,

Defendants.

(as to Defendant Memorial Hospitals
Association only)

**ORDER FOR DISMISSAL
WITH PREJUDICE**

Plaintiff, by and through her counsel, filed a Notice of Dismissal Without Prejudice on April 12, 2007 (Civil No. 07-1120 (DWF/AJB), Doc. No. 3)¹ pursuant to Federal Rule of Civil Procedure 41 with respect to their claims against Defendant Memorial Hospitals Association. After consideration of the submissions and review of the procedural history of the file,

IT IS HEREBY ORDERED:

1. Plaintiff's claims against Defendant Memorial Hospitals Association expressed in the Complaint (Civil No. 07-1120 (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 MEMORIAL HOSPITALS ASSOCIATION ONLY.**

Dated: April 30, 2007

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

¹ Plaintiffs filed their Notice of Voluntary Dismissal only in the original case Civil No. 07-1120 (DWF/AJB). They should have filed their Notice of Voluntary Dismissal in both the original case and the master case MDL 05-1708 (DWF/AJB).