

**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:

Holly Grant; Nathan Stein, by and through his surviving spouse and estate administrator Esther Stein; Deryl Feimester; and Billy Smith, by and through his surviving spouse and estate administrator Dorothy Smith,

Plaintiffs,

v. Civil No. 07-1252 (DWF/AJB)

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

Defendants.

(as to Plaintiff Billy Smith only)

**ORDER APPROVING PETITION
OF ELIZABETH SMITH TO HAVE
DOROTHY SMITH BE NAMED
WRONGFUL DEATH TRUSTEE
PURSUANT TO M.S.A. § 573.02**

The Court, having reviewed the Petition of Elizabeth Smith (Civil No. 07-1252 (DWF/AJB), Doc. No. 4)¹ concerning the appointment of wrongful death trustee, hereby enters the following:

¹ Plaintiff filed its petition only in the original case. It should have filed its petition in both the original case Civil No. 07-1252 (DWF/AJB) and in MDL 05-1708 (DWF/AJB).

ORDER

1. Dorothy Smith is hereby named the wrongful death trustee for the above-captioned case as to the extent it concerns the wrongful death of Billy Smith.

Dated: March 14, 2007

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