
**GUIDANT PRODUCTS LITIGATION
MDL NO. 1708**

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September 18, 2007

The Honorable Donovan W. Frank
Judge of U.S. District Court
Warren E. Burger Federal Building
316 North Robert Street, Room 738
St. Paul, MN 55101

Re: In re Guidant Corp. Implantable Defibrillators Products Liability Litigation, MDL 05-1708

Dear Judge Frank:

This letter shall confirm my call to your chambers of Monday September 17, 2007 wherein I advised you on behalf of the PSC and LCC that the responsive brief and motion date regarding the review of Judge Leary's Order was being continued by agreement of counsel.

Because the issues associated with this motion necessarily invite discussion on common benefit fee-related issues among counsel, in order to attempt to reach an amicable resolution, it has been agreed that we would mediate these issues before Magistrate Judge Boylan and assistant Special Master Juneau as soon as possible. In the meantime the motion would remain filed but the briefing would be withdrawn and no responsive briefs would be filed unless and until the matter is reset by the Court for hearing.

Respectfully,

ZIMMERMAN REED, PLLP

s/Charles S. Zimmerman

Charles S. Zimmerman o/b/o
Plaintiffs' Lead Counsel Committee

cc: Lead Counsel Committee
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