

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP.
IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION

MDL Case No. 05-1708 (DWF/AJB)

This Document Relates to All Actions

ORDER

On March 15, 2007, Guidant filed a Motion to Withdraw Without Prejudice the Motion for Summary Judgment on Plaintiffs' Claims Related to the VENTAK PRIZM 2 DR Model 1861 Based on Federal Preemption and accompanying documents.

(MDL 05-1708 (DWF/AJB), Doc. No. 1336.) Guidant's Motion is **GRANTED** for the reasons stated in the Court's March 7, 2007 letter. Guidant may file an individual preemption motion in a bellwether trial, so long as it complies with the requirements stated in the March 7, 2007 letter.

Dated: March 16, 2007

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