

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: Guidant Defibrillators Products
Liability Litigation

MDL No. 05-1708 (DWF/AJB)

This Document Relates to All Actions

ORDER MODIFYING PRETRIAL ORDER NO. 5

WHEREAS the Plaintiff's Lead Counsel Committee has agreed to file a Master Complaint representative of, and for, the cases pending before this Court in this multidistrict litigation, and pursuant to the joint agreement of the parties, the Court enters the following Order modifying Pretrial Order No. 5, paragraph 5, as follows;

5. Expedited dispositive motions:

- a. Plaintiffs shall file a Master Complaint representative of cases pending before this MDL no later than April 12, 2006;
- b. Early dispositive motions that would be representative of issues central to the cases before the Court shall be filed by Defendants within fourteen days thereafter (unless such date falls on a Saturday or Sunday, in which case it would be the following Monday);
- c. Plaintiffs' counsel shall file a Response to Defendants' early dispositive motions within thirty days thereafter (unless such date falls on a Saturday or Sunday, in which case it would be the following Monday); and

d. Defendants' counsel shall file a Reply within fourteen days thereafter (unless such date falls on a Saturday or Sunday, in which case it would be the following Monday).

SO ORDERED.

Dated: March 23, 2006

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