

**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:

Beverly Mason, individually and as Trustee
and Administrator of the Estate of Donald
Mason, deceased,

Plaintiff,

v. Civil No. 07-1090 (DWF/AJB)

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

Defendants.

**ORDER FOR DISMISSAL
WITHOUT PREJUDICE**

Plaintiff Beverly Mason, Individually and as Trustee for the Estate of Donald Mason, deceased, by and through her counsel, filed a Notice of Voluntary Dismissal Without Prejudice on June 21, 2007 (MDL NO. 05-1708, Doc. No. 2062¹ pursuant to Federal Rule of Civil Procedure 41 with respect to her claims against Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers, Inc., and Boston Scientific

¹ Plaintiff filed her notice only in the master case. Plaintiff should have filed her notice in both the original case Civil No. 07-1090 (DWF/AJB) and in the master case MDL No. 05-1708 (DWF/AJB).

Corporation. After consideration of the submissions and review of the procedural history of the file,

IT IS HEREBY ORDERED:

1. Plaintiff Beverly Mason, Individually and as Trustee for the Estate of Donald Mason, deceased's claims against Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers, Inc., and Boston Scientific Corporation expressed in the Complaint (Civil No. 07-1090 (DWF/AJB), Doc. No. 1) are

DISMISSED WITHOUT PREJUDICE.

2. Each party to bear its own costs.

**LET JUDGMENT BE ENTERED ACCORDINGLY AS TO PLAINTIFF
BEVERLY MASON, INDIVIDUALLY AND AS TRUSTEE FOR THE ESTATE
OF DONALD MASON, DECEASED, ONLY.**

Dated: June 25, 2007

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