

**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:

Betty Ammerman, Brad Anderson, Anna Apanowicz, Victor M. Arretche, Wilma Baird, Dennis Barrett, Janice Berkheiser, Mary Brown, Clifford Bull, Juanita Council, Mabel Cox, Janet Cross, Hazel Deoca, Joseph Dunn, Lawrence Ethridge, Paulette Faye, Elaine Fowler, Patricia Fox, Schonauer Gordon, Curtis Greer, Eleanor Hardemon, Betty Hoffman, Terri Hudson, Florence Hunter, Rosalie Jackson, James Jenkins, Bobby Johnson, Tracy Jordan, Susan Knight, Drexel Lanier, Dawn Linder, Richard Lutze, Rollo Lyberger, Ted Marple, Charles McCaulley, Annette Merman, Lawrence Morgan, Deborah Natvik, Loretta Parker, Luther Poore, Jean Rake, Juanita Robinson, Amanda Samples, Cochran Sandra, Agnes Scott, James Smith, John Tomasevich, Martin Toscano, Clara Vargas, Susan White, Anita Wilson, Barbara Young, Sandra Zaitz, and Randy Ziraldo,

Plaintiffs,

v. Civil No. 07-1218 (DWF/AJB)

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

Defendants.

**ORDER FOR DISMISSAL
WITHOUT PREJUDICE**

(as to Plaintiffs Anna Apanowicz, Agnes Scott, and Paulette Faye only)

Plaintiffs Anna Apanowicz, Agnes Scott, and Paulette Faye, by and through their counsel, filed a Notice of Voluntary Dismissal Without Prejudice on June 21, 2007 (Civil No. 07-1218, Doc. No. 4)¹ pursuant to Federal Rule of Civil Procedure 41 with respect to their claims against Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers, Inc., and Boston Scientific Corporation. After consideration of the submissions and review of the procedural history of the file,

IT IS HEREBY ORDERED:

1. Plaintiffs Anna Apanowicz, Agnes Scott, and Paulette Faye's claims against Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers, Inc., and Boston Scientific Corporation expressed in the Complaint (Civil No. 07-1218 (DWF/AJB), Doc. No. 1) are **DISMISSED WITHOUT PREJUDICE**.

2. Each party to bear its own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY AS TO PLAINTIFFS ANNA APANOWICZ, AGNES SCOTT, AND PAULETTE FAYE ONLY.

Dated: June 25, 2007

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

¹ Plaintiffs filed their notice only in the original case. Plaintiffs should have filed their notice in both the original case Civil No. 07-1218 (DWF/AJB) and in the master case MDL No. 05-1708 (DWF/AJB).