

**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:

Douglas Baldwin, Leo Bannon, Raymond Barnes, Frances Baroni, Merlin Battcher, Linda Baumgartner, Jane Bennett, Charles Blouch, Noma Edwards, Norma Gibbs, Theodore Hayward, Frank Hester, Easter Jenkins, Ernest Johnson, Lona Korous, Paul Landers, Ralph Lindorf, Richard Magiera, Ethel Marzett, Edward Nagel, Philip Naylor, Mary O'Malley, Marsha Platner, Stanley Roberts, Charles Rogers, John Ross, Cloviel Smith, Justin Sorensen, and Sandra Zaitz,

Plaintiffs,

v. Civil No. 07-1222 (DWF/AJB)

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

Defendants.

(as to Plaintiff Sandra Zaitz only)

**ORDER FOR DISMISSAL
WITHOUT PREJUDICE**

Plaintiff Sandra Zaitz, by and through her counsel, filed a Notice of Voluntary Dismissal Without Prejudice on June 21, 2007 (Civil No. 07-1222, Doc. No. 4)¹ pursuant

¹ Plaintiff filed her notice only in the original case. Plaintiff should have filed her notice in both the original case Civil No. 07-1222 (DWF/AJB) and in the master case MDL No. 05-1708 (DWF/AJB).

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

IT IS HEREBY ORDERED:

1. Plaintiff Sandra Zaitz's claims against Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers, Inc., and Boston Scientific Corporation expressed in the Complaint (Civil No. 07-1222 (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 SANDRA ZAITZ ONLY.

Dated: June 25, 2007

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