

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE  
DEFIBRILLATORS PRODUCTS LIABILITY  
LITIGATION

MDL No. 05-1708 (DWF/AJB)

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This Document Relates to All Actions

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**ORDER ESTABLISHING INTERIM GUIDANT  
HEART DEVICE LITIGATION SETTLEMENT FUND**

As agreed by Plaintiffs, by and through the Lead Counsel Committee, and Defendants, by and through counsel, and for good cause shown, the Court hereby orders the establishment of the Interim Guidant Heart Device Litigation Settlement Fund (“Interim Fund”), which fund shall be under the direction of Assistant Special Master Patrick A. Juneau.

Guidant’s initial payment under the proposed settlement agreement reached by the parties on July 12, 2007 shall be made into the Interim Fund no later than August 13, 2007. No payments or disbursements of any kind shall be made from the Interim Fund until further order of this Court.

The parties’ Master Settlement Agreement, when finalized, shall require that all taxes due on interest, income, or gain earned by the Interim Fund will be paid out of the Settlement Fund Escrow Account (“SFEA”) after the SFEA is established.

Dated: August 10, 2007

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