

**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:

Bennie Shipley,

Plaintiff,

v. Civil No. 07-1128 (DWF/AJB)

Guidant Corporation; Guidant Sales
Corporation; Cardiac Pacemakers, Inc.;
Boston Scientific Corporation; Scripps
Memorial Hospital; and Does 1 through 100,
inclusive,

Defendants.

(as to Defendant Scripps Memorial Hospital
only)

**ORDER FOR DISMISSAL
WITH PREJUDICE**

Plaintiff Bennie Shipley, by and through his counsel, filed a Stipulation for Dismissal on August 21, 2007 (MDL No. 05-1708 (DWF/AJB), Doc. No. 2342; Civil No. 07-1128, Doc. No. 4) pursuant to Federal Rule of Civil Procedure 41 with respect to his claims against Defendant Scripps Memorial Hospital. After consideration of the submissions and review of the procedural history of the file,

IT IS HEREBY ORDERED:

1. Plaintiff Bennie Shipley's claims against Defendant Scripps Memorial Hospital expressed in the Complaint (Civil No. 07-1128 (DWF/AJB), Doc. No. 1) are **DISMISSED WITH PREJUDICE.**

2. Each party to bear its own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY AS TO DEFENDANT SCRIPPS MEMORIAL HOSPITAL ONLY.

Dated: August 23, 2007

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