

**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:

Virginia Bien, individually and as successor
in interest to the estate of Raymond Bien;
Shirley Brice, individually and as successor in
interest to the estate of John Brice, Jr;
Jessie Ann F. Flores, successor in interest to
the estate of Ramona Flores; Mary Lou
Lynck, successor in interest to the estate of
Larkin Campbell; Ronnie L. Whitman,
successor in interest to the estate of Rohn Lee
Whitman; and Brenda Woodell, individually
and as successor in interest to the estate of
Charles Williams,

Plaintiffs,

v. Civil No. 07-2606 (DWF/AJB)

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

Defendants.

(as to Plaintiff Shirley Brice, individually and
as successor in interest to the Estate of John
Brice, Jr., only)

**ORDER FOR DISMISSAL
WITHOUT PREJUDICE**

Plaintiff Shirley Brice, individually and as successor in interest to the Estate of
John Brice, Jr., by and through her counsel, filed a Notice of Voluntary Dismissal on

November 20, 2007 (MDL No. 05-1708 (DWF/AJB), Doc. No. 2500),¹ pursuant to Federal Rule of Civil Procedure 41(a)(1) 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 Shirley Brice, individually and as successor in interest to the Estate of John Brice, Jr.'s claims against Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers Inc., and Boston Scientific Corporation expressed in the Complaint (Civil No. 07-2606 (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 SHIRLEY BRICE, INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO THE ESTATE OF JOHN BRICE, JR., ONLY.

Dated: November 26, 2007

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

¹ Plaintiff filed her notice only in the original case. Plaintiff should have filed her notice in both the original case Civil No. 07-2606 (DWF/AJB) and in the master case MDL No. 05-1708 (DWF/AJB).