

**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:

Michael A. Bonafede, Jessie A. Burns, Robert Falance, Alberta Fulton, Frances Gilman, Doris Hass, Carole Hockman, Cynthia D. Honeycutt, Judy M. Khan, Terry Kite, Andrew Luparello, Robert Manjoney, Michael McDaniel, Beverly Miller, Anthony Minotti, Carol Moller, Mary Evelyn Nicholls, Deana Santospago, Louise V. Sledd, Thomas H. Stevenson, R.B. Thomas, Nicholas M. Timko, Richard S. White, Melvin Wynne, and Michael Zydel,

Plaintiffs,

v. Civil No. 07-2571 (DWF/AJB)

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

Defendants.

(as to Plaintiff Andrew Luparello only)

**ORDER FOR DISMISSAL
WITHOUT PREJUDICE**

Plaintiff Andrew Luparello, by and through his counsel, filed a Notice of Voluntary Dismissal on November 26, 2007 (MDL No. 05-1708 (DWF/AJB), Doc. No. 2503; Civil No. 07-2571 (DWF/AJB), Doc. No. 3), pursuant to Federal Rule of Civil Procedure 41(a)(1) with respect to his 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 Andrew Luparello's claims against Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers Inc., and Boston Scientific Corporation expressed in the Complaint (Civil No. 07-2571 (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
ANDREW LUPARELLO ONLY.**

Dated: November 27, 2007

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