

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MINNESOTA

Chambers of
DONOVAN W. FRANK
DISTRICT JUDGE

Warren E. Burger Federal Building
316 North Robert Street, Room 738
St. Paul, Minnesota 55101
(651) 848-1290

January 23, 2008

BY U.S. MAIL & ECF

Mr. Kenneth Pruett
7731 Lookout Dr.
La Jolla, CA 92037

Re: *Randall Holley, et al. v. Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers, Inc., and Boston Scientific Corporation*
Civil No. 07-1217 (DWF/AJB)
Motion to Withdraw as Counsel

Dear Mr. Pruett:

On January 16, 2007, the attorneys that originally filed your case with this Court filed a motion to withdraw as your counsel in the above-entitled matter. Before I rule on that motion, I am giving you the chance to respond in writing to let me know if you oppose or support the motion. If you wish to respond, please do so within one week of receipt of this letter. You may send your response to me in writing (316 North Robert Street, St. Paul, Minnesota 55101); by fax (651-848-1292); or by email (frank_chambers@mnd.uscourts.gov). For your convenience, I am including a copy of the motion for your review. (The Court notes that the statements made in the motion to withdraw at numbered paragraphs three and four are not correct. The amended petition filed in July 2007 did not request that the Court dismiss your case. Also, the Court has not asked the Mulligan Law Firm to dismiss with prejudice; if anything, the Court has inquired as to whether the Mulligan Law Firm intended to withdraw with prejudice or without prejudice.)

I am electronically filing a copy of this letter so that the Mulligan Law Firm, Plaintiffs' Lead Counsel, and Guidant's attorneys will receive a copy of this letter. By this letter, I am also giving those attorneys one week to support or oppose the motion by electronically filing their statement and mailing a copy of their statement to you. By this letter, I am also requesting that the Mulligan Law Firm verify that you have received a copy of this letter.

Mr. Kenneth Pruett

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After I receive the responses to the motion, if any, I will either rule on the motion based on the papers submitted or schedule a telephone conference to discuss the motion.

Very truly yours,

s/Donovan W. Frank

DONOVAN W. FRANK

Judge of United States District Court

DWF:rlb

Enclosure

c: Eric N. Roberson, Esq. (by ECF only)
Patrick J. Mulligan, Esq. (by ECF only)
Reid Stewart, Esq. (by ECF only)
Charles S. Zimmerman, Esq. (by ECF only)
Timothy A. Pratt, Esq. (by ECF only)