

**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:

Patrick Pouncy, individually and on behalf of
Brandon Taylor; Juanita Pouncy; Barbara
Cawthorne, individually and on behalf of
Willie Lee Cawthorne Estate; Robert C.
Dukes; and Laretta Dukes,

Plaintiffs,

v. Civil No. 06-52 (DWF/AJB)

Guidant Corporation, Guidant Sales
Corporation, and fictitious Defendants XYZ
being those persons, firms, suppliers or
corporations whose actions, inactions,
fraudulent suppression, fraud, scheme to
defraud and/or other wrongful conduct caused
or contributed to the Plaintiffs's injuries and
damages, and whose true names and identities
are presently unknown to the Plaintiffs but
will be substituted by amendment when
ascertained,

Defendants.

(as to Plaintiffs Robert C. Dukes and Laretta
Dukes only)

**ORDER FOR DISMISSAL
WITH PREJUDICE**

Plaintiffs Robert C. Dukes and Laretta Dukes, by and through their counsel, and
Defendants Guidant Corporation, Guidant Sales Corporation, by and through their
counsel, filed a Stipulation of Dismissal With Prejudice (MDL No. 05-1708 (DWF/AJB)),

Doc. Nos. 2555 and 2556¹; Civil No. 06-52 (DWF/AJB), Doc. Nos. 3 and 4) in the above-referenced matter, pursuant to Federal Rule of Civil Procedure 41(a)(1).

Based upon the Stipulation, **IT IS HEREBY ORDERED** that all claims of Plaintiffs Robert C. Dukes and Laretta Dukes (Civil No. 06-52 (DWF/AJB)) against all named Defendants, including but not limited to, any of the following companies that are named as Defendants in this lawsuit—Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers Inc., Boston Scientific Corporation, and Guidant Puerto Rico Sales Corporation—are **DISMISSED WITH PREJUDICE** in their entirety and each party shall bear its own costs.

**LET JUDGMENT BE ENTERED ACCORDINGLY AS TO PLAINTIFFS
ROBERT C. DUKES AND LARETTA DUKES ONLY.**

Dated: January 28, 2008

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

¹ The Court notes that the individual case file number on the Stipulation of Dismissal filed in the master case (MDL No. 05-1708 (DWF/AJB), Doc. Nos. 2555 and 2556) is incorrectly listed as Civil No. 05-1882. The Court assumes that the parties actually meant to reference Civil No. 06-52 (DWF/AJB).