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 All Actions	**ORDER REQUESTING MORE INFORMATION REGARDING THE COMMON BENEFIT ATTORNEY FEE AMOUNT**

On January 23, 2008, the Court heard argument both supporting and objecting to Plaintiffs' Steering Committee's Request Pursuant to Section II.K of the Master Settlement Agreement for a Determination of the Common Benefit Attorney Fee Amount. The Court now requests more information from the parties and objectors in order to make a final determination as to whether the common benefit request is reasonable.

IT IS HEREBY ORDERED that:

1. For those attorneys requesting fees from a common benefit fund, the Lead Counsel Committee ("LCC") shall provide the Court, in chart form: (1) the average hourly rate for the attorneys who are claiming they performed common benefit work; (2) the number of hours worked for each of these attorneys; (3) the average hourly rate for paralegals who are claiming they performed common benefit work; and (4) the number of hours worked for each of these paralegals.

2. The LCC shall provide the Court with a list, in chart form, of: (1) all attorneys requesting common benefit funds; (2) how many individual cases each attorney has; (3) the contingency fee percentage agreed upon for each of the cases (*i.e.*, 200 of the cases have a 30% contingency fee; 5 of the cases have a 5% contingency fee); and (4) for each attorney, the estimated amount that they anticipate receiving in total from his/her contingency fees pursuant to the proposed allocation plan.

3. The "Texas attorneys" who submitted an objection to the PSC's request shall provide the Court with a list of all of the cases they claim required a significant amount of work on their part, and whereby they claim they did not benefit from work done by the MDL. At a minimum, a significant amount of work is defined as more than the filing of the Complaint and Plaintiff's Fact Sheet. A significant amount of work could include work related to discovery, deposition, and/or trial preparation. The list of cases should also indicate the number of hours worked on the file. Such hours should exclude hours spent reviewing briefs and orders filed in the MDL.

4. The above submissions shall be made to the Court no later than Friday, February 8, 2008. At the January 23, 2008 hearing, the Court represented that it would file a Short Order ruling on the PSC's request within ten days. Because of the need for the additional information explained in paragraphs 1-3 above, the Court will not meet that ten-day timeframe. Instead, the Court will issue a Short Order, followed by a

Memorandum Opinion, in due time after receipt and review of the additional submissions.

Dated: February 4, 2008

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