

**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

February 28, 2008

**BY U.S. MAIL**

Larry Powers  
3918 Peachtree Road  
Balch Springs, TX 75180

**Re: In re: GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS  
PRODUCTS LIABILITY LITIGATION  
MDL No. 05-1708 (DWF/AJB)**

***Larry Powers v. Guidant Corporation; Guidant Sales Corporation; Cardiac  
Pacemakers, Inc., and Boston Scientific Corporation***  
**Civil No. 07-2373 (DWF/AJB)**

**Application to Withdraw as Counsel**

Dear Mr. Powers:

On February 26, 2008, your attorneys filed an application to withdraw as your counsel of record in the above-entitled matter. Before I rule on that application, I am giving you a chance to respond in writing to let me know if you oppose or support the application. If you wish to respond, please do so within one week of receipt of this letter. You may send your response to me by mail (316 North Robert Street, St. Paul, Minnesota 55101); by fax (651-848-1292); or by e-mail (frank\_chambers@mnd.uscourts.gov). For your convenience, I am including a copy of the application for your review.

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

Mr. Larry Powers  
February 28, 2008  
Page 2

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

Very truly yours,

s/Donovan W. Frank

DONOVAN W. FRANK  
Judge of United States District Court

DWF:rlb  
Enclosure

c: Jerrold S. Parker, Esq., and Melanie H. Muhlstock (By ECF only)  
Parker & Waichman, LLP  
111 Great Neck Rd., 1<sup>st</sup> Floor  
Great Neck, NY 11021-5402

Charles S. Zimmerman, Esq. (By ECF only)  
Zimmerman Reed  
651 Nicollet Mall, Suite 501  
Minneapolis, MN 55402-4123

Timothy Pratt, Esq. (By ECF only)  
Shook Hardy & Bacon LLP  
2555 Grand Blvd.  
Kansas City, MO 64108-2613