

**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:

Robert R. Boyd, Sandra Boyd, Peggy C.
Baggett, and Gator J. Mitchell,

Plaintiffs,

v. Civil No. 07-2258 (DWF/AJB)

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

Defendants.

(as to Plaintiff Peggy C. Baggett only)

ORDER

Jerrold S. Parker, Esq., and Melanie H. Muhlstock, Esq., Parker & Waichman, LLP,
counsel for Plaintiffs.

Timothy A. Pratt, Esq., Shook Hardy & Bacon LLP, and Joseph M. Price, Esq., Faegre &
Benson LLP, counsel for Defendants.

The law firm of Parker Waichman Alonso, LLP (f/k/a Parker & Waichman, LLP)
commenced this action on May 10, 2007, on behalf of Plaintiff Peggy C. Baggett. On
February 26, 2008, Baggett's counsel, Melanie H. Muhlstock, Esq., from the Parker
Waichman Alonso, LLP (f/k/a Parker & Waichman, LLP) law firm ("the Parker Firm")

filed an Application to Withdraw as Counsel of Record for Plaintiff Peggy C. Baggett (MDL No. 05-1708 (DWF/AJB), Doc. No. 2618; Civ. No. 07-2258 (DWF/AJB), Doc. No. 3). In a letter dated February 28, 2008, the Court allowed Baggett to respond in writing to the motion within one week. As of the date of this Order, the Court has not received a response from Baggett.

An attorney may be permitted to withdraw as counsel of record only by order of the Court. D. Minn. LR 83.7(a). “Withdrawal without substitution may be granted only by a motion before the Court, for good cause shown.” D. Minn. LR 83.7(c). The Parker Firm asserts that they and Baggett have reached irreconcilable differences as to strategy or tactics in this matter and, as such, there has been a deterioration of the attorney-client relationship.

Based on a review of the file, and given the requirements necessary to proceed under the Master Settlement Agreement, the Court finds that good cause exists to allow the Parker Firm to withdraw from representing Baggett. The Court concludes that Baggett’s interests are best served if she is allowed to find new counsel to represent her.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Application to Withdraw as Counsel of Record for Plaintiff Peggy C. Baggett (MDL No. 05-1708, Doc. No. 2618; Civ. No. 07-2258, Doc. No. 3) is

GRANTED.

2. The Parker Firm shall inform Baggett of the substance of this Order (by U.S. Mail) and provide her with the contact information for Guidant and the Plaintiffs’

Lead Counsel Committee. It shall also provide Baggett with her file and all case documents, at no cost to her.

4. The Parker Firm shall provide Guidant and the Plaintiffs' Lead Counsel Committee with Baggett's current contact information, including mailing address, telephone numbers, and e-mail address.

5. Baggett is encouraged to immediately seek new counsel. If she cannot afford to do so, the Court encourages her to investigate the possibility of a volunteer attorney service in her area. The Court also encourages Baggett to contact MDL Plaintiff Attorney Elizabeth Peterson at 612-341-0400 to discuss her options under the Master Settlement Agreement.

6. The Clerk of Court shall mail a copy of this Order to Peggy C. Baggett at 821 West 10th Street, Bonham, TX 75418.

Dated: March 17, 2008

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