

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS LIABILITY
LITIGATION

This pleading relates to:

SONIA URRIOLA,

Plaintiffs,

NOTICE OF MOTION

-against-

GUIDANT CORPORATION, GUIDANT SALES
CORPORATION, BOSTON SCIENTIFIC
CORPORATION, MICHAEL LIU, M.D., BETH
ISRAEL MEDICAL CENTER AND BETH
ISRAEL MEDICAL CENTER PHILIPS
AMBULATORY CARE CENTER,

Case #: 08-CV-00033
MDL General Case #: 05-CV-1708

Defendants,

TO: DEFENDANT ABOVE NAMED AND THEIR COUNSEL OF RECORD

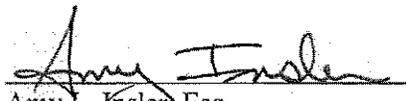
PLEASE TAKE NOTICE the undersigned will bring the following motion on for consideration before The Honorable Donovan W. Frank at a time to be selected by Judge Frank, for an Order pursuant to Local Rule 83.7 permitting Bonina & Bonina, P.C. through its attorney Amy L. Insler, Esq., to withdraw from representation of Plaintiff Sonia Urriola.

Said Motion is based upon the attached Affidavit of Amy Insler, Esq.

Dated: March 28, 2008

BONINA & BONINA, P.C.

By:


Amy L. Insler Esq,
16 Court Street, Suite 1800
Brooklyn, NY 11241
(718) 522-1786

- *Shook, Hardy & Bacon, LLP*
2555 Grand Boulevard
Kansas City, MO 64108
(816) 474-6550

I further certify that I caused a copy of the foregoing documents and the notice of electronic filing to be mailed by first class mail, postage paid, to the following non-ECF participants:

- *Sonia Urriola*
126 East 3rd Street
Apartment 3A
New York, NY 10009

I further certify that I caused the proposed order to be filed with the court via email to the following judge who is hearing the motion:

- n/a

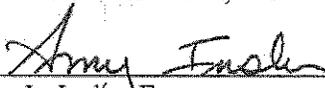
and I certify that I caused a copy of the proposed order to be emailed or mailed by first class mail, postage paid, as noted below, to the following:

- n/a

Dated: March 28, 2008

BONINA & BONINA, P.C.

By:



Amy L. Insler, Esq.
Bonina & Bonina, P.C.
16 Court Street, Suite 1800
Brooklyn NY 11241
(718) 522-1786

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: GUIDANT CORP. IMPLANTABLE
DEFIBILLATORS PRODUCTS LIABILITY
LITIGATION

This pleading relates to:

SONIA URRIOLA,

Plaintiffs,

**AFFIDAVIT OF
AMY L. INSLER, ESQ.**

-against-

Case #: 08-CV-00033

MDL General Case #: 05-CV-1708

GUIDANT CORPORATION, GUIDANT SALES
CORPORATION, BOSTON SCIENTIFIC
CORPORATION, MICHAEL LIU, M.D., BETH
ISRAEL MEDICAL CENTER AND BETH
ISRAEL MEDICAL CENTER PHILIPS
AMBULATORY CARE CENTER,

Defendants,

STATE OF NEW YORK)

)ss:

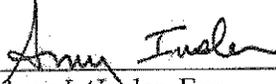
COUNTY OF KINGS)

Amy L. Insler, Esq., being first duly sworn upon oath, states:

1. I am one of the attorneys of record for the plaintiff and am thoroughly familiar with all of the files, records and proceedings herein.
2. Your Affiant believes that our firm can no longer effectively represent Plaintiff Sonia Urriola.
3. In light of the irreconcilable differences and irretrievably damaged relationship between your Affiant's office and the plaintiff, withdrawal should be granted.
4. Your Affiant's office has already explained its desire to withdraw as counsel to the plaintiff and she informed us that she wanted to proceed pro se.

Dated: March 28, 2008

BONINA & BONINA, P.C.

By: 
Amy L. Insler, Esq.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SONIA URRIOLA,

Plaintiffs,

-against-

GUIDANT CORPORATION, GUIDANT SALES
CORPORATION, BOSTON SCIENTIFIC
CORPORATION, MICHAEL LIOU, M.D., BETH
ISRAEL MEDICAL CENTER AND BETH
ISRAEL MEDICAL CENTER PHILIPS
AMBULATORY CARE CENTER,

Defendants,

**APPLICATION TO
WITHDRAW AS
COUNSEL OF RECORD**

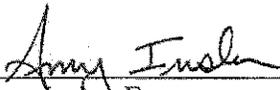
Case #: 08-CV-00033

MDL General Case #: 05-CV-1708

Pursuant to Rule 83.7(b) of the Local Rules of the United States District Court for the District of Minnesota, the undersigned attorney hereby requests the Court and counsel that Bonina & Bonina, P.C., currently listed as counsel of record for Plaintiff, Sonia Urriola, wishes to withdraw as counsel for plaintiff, Sonia Urriola in this case for the following reason:

Irreconcilable differences

Date: March 28, 2008



Amy Insler Esq.
Bonina & Bonina, P.C.
16 Court Street, Suite 1800
Brooklyn NY 11241
(212) 522-1786

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: GUIDANT CORP. IMPLANTABLE
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LITIGATION

This Document Relates to:

SONIA URRIOLA,

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ISRAEL MEDICAL CENTER AND BETH
ISRAEL MEDICAL CENTER PHILIPS
AMBULATORY CARE CENTER,

Defendants,

**ORDER FOR WITHDRAWAL
OF COUNSEL**

Case #: 08-CV-00033

MDL General Case #: 05-CV-1708

Amy Insler, Esq., Bonina & Bonina, P.C., counsel for Plaintiff

Guidant Corporation, Guidant Sales Corporation, Boston Scientific Corporation, Michael Liou, M.D., Beth Israel Medical Center and Beth Israel Medical Center Philips Ambulatory Care Center, Aaronson, Rappaport, Feinstein & Deutsch, LLP and McCarter & English, LLP, Zimmerman Reed, and Shook, Hardy & Bacon, LLP

Plaintiff Sonia Urriola commenced this action on October 24, 2007 in New York County Supreme Court. Pursuant to District of Minnesota Local Rule 83.7, Sonia Urriola's counsel, Amy L. Insler, Esq. of Bonina & Bonina, P.C. (Bonina) filed a Motion to Withdraw as Attorney on March 26, 2008.

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). Bonina & Bonina, P.C. asserts it

can no longer effectively represent Urriola in light of irreconcilable differences and the irretrievably damaged relationship between it and Urriola.

Based on the submissions of the parties, the Court finds that good cause exists to allow Bonina & Bonina, P.C. to withdraw from representing Urriola. Given the exchanges that have taken place between Bonina & Bonina, P.C. and Urriola, Urriola's interests are best served if she finds new counsel to represent her.

Based on a review of the file and the submissions of the parties, **IT IS HEREBY ORDERED** that:

1. Bonina & Bonina, P.C.'s Motion to Withdraw as Attorney (Civ. No.) is **GRANTED**.
2. Bonina & Bonina, P.C. shall confer with Guidant to confirm if there are any outstanding discovery issues related to Urriola's case, including but not limited to, the completion of a Plaintiff's Fact Sheet. If there are any outstanding discovery deficiencies, Bonina & Bonina, P.C. shall provide Urriola with copies of documents relating to those deficiencies and explain when the deficiencies need to be answered by Urriola or her new counsel.
3. Bonina & Bonina, P.C. shall inform Urriola of the substance of this Order (by U.S. mail) and provide her with the contact information for Guidant and the Plaintiff's Lead Counsel Committee. It shall also provide Urriola, or her new counsel, with her file and all case documentation, at no cost to her.
4. Bonina & Bonina, P.C. shall provide Guidant and the Plaintiff's Lead Counsel Committee with Urriola's current contact information, including mailing address and telephone number.

5. Urriola 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.

6. The Clerk of the Court shall mail a copy of this Order to Sonia Urriola at 126 East 3rd Street, Apartment 3A, New York, NY 10009.

Date: March 28, 2008

Judge of the United States District Court

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: GUIDANT CORP. IMPLANTABLE
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ORDER

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CORPORATION, BOSTON SCIENTIFIC
CORPORATION, MICHAEL LIU, M.D., BETH
ISRAEL MEDICAL CENTER AND BETH
ISRAEL MEDICAL CENTER PHILIPS
AMBULATORY CARE CENTER,

Defendants,

The above-entitled matter came on before the undersigned U. S. District Court Judge on Motion of Plaintiff for an Order allowing Bonina & Bonina, P.C. to withdraw as counsel for Plaintiff Sonia Urriola.

IT IS HEREBY ORDERED:

1. That Bonina & Bonina, P.C. may withdraw as counsel for Plaintiff Sonia Urriola.

Date: March 28, 2008

BY THE COURT:

Honorable
Judge of the US District Court

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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This pleading relates to:

SONIA URRIOLA,

Plaintiffs,

**AFFIDAVIT OF
SERVICE**

-against-

Case #: 08-CV-00033

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GUIDANT CORPORATION, GUIDANT SALES
CORPORATION, BOSTON SCIENTIFIC
CORPORATION, MICHAEL LIOU, M.D., BETH
ISRAEL MEDICAL CENTER AND BETH
ISRAEL MEDICAL CENTER PHILIPS
AMBULATORY CARE CENTER,

Defendants,

I hereby certify that on March 28, 2008, I caused the following documents:

- *Notice of Appearance by Amy Insler, Esq.*

to be filed electronically with the Clerk of the Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

- *Aaronson, Rappaport, Feinstein & Deutsch, LLP
757 Third Avenue, 4th Floor
New York, NY 10017
(212) 593-6700*
- *McCarter & English, LLP
245 Park Avenue, 27th Floor
New York, NY 10167
(212) 609-6800*
- *Zimmerman Reed
651 Nicollet Mall, Suite 501
Minneapolis, MN 55402
(612) 341-0400*