

**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:

Sonia Urriola,

Plaintiff,

v. Civil No. 08-33 (DWF/AJB)

Guidant Corporation; Guidant Sales
Corporation; Cardiac Pacemakers Inc.;
Boston Scientific Corporation; Michael Liou,
M.D.; Beth Israel Medical Center; and Beth
Israel Medical Center Philips Ambulatory
Care Center,

Defendants.

ORDER

Amy L. Insler, Esq., and Andrea E. Bonina, Esq., Bonina & Bonina, PC, counsel for Plaintiffs.

Debbie Moeller, Esq., Shook Hardy & Bacon LLP, and Joseph M. Price, Esq., Faegre & Benson LLP, counsel for Defendants.

The law firm of Bonina & Bonina, PC, commenced this action on October 24, 2007, on behalf of Plaintiff Sonia Urriola (“Plaintiff”). On April 9, 2008, Plaintiff’s counsel, Amy L. Insler, Esq., from the Bonina & Bonina, PC, firm filed a Motion to

Withdraw as Counsel for Plaintiff (Civ. No. 08-33 (DWF/AJB), Doc. No. 3).¹ In a letter dated April 10, 2008, the Court allowed Plaintiff 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 Plaintiff.

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 Bonina & Bonina, PC, firm asserts that they have irreconcilable differences inhibiting counsel’s ability to represent Plaintiff.

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 Bonina & Boina, PC, firm to withdraw from representing Plaintiff. The Court concludes that Plaintiff’s interests are best served if she is allowed to find new counsel to represent her.

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

1. The Motion to Withdraw as Counsel for Plaintiff Sonia Urriola (Civ. No. 08-33, Doc. No. 3) is **GRANTED**.
2. The Bonina & Bonina, PC, firm shall inform Plaintiff Sonia Urriola of the substance of this Order (by U.S. Mail) and provide her with the contact information for

¹ Counsel for Plaintiff filed the Motion for Withdrawal as Counsel only in the individual case (Civ. No. 08-33 (DWF/AJB), Doc. No. 3). The motion should also have been filed in the master case, MDL 05-1708 (DWF/AJB).

Guidant and the Plaintiffs' Lead Counsel Committee. It shall also attempt to provide Plaintiff Urriola with her file and all case documents, at no cost to her.

3. The Bonina & Boina, PC, firm shall provide Guidant and the Plaintiffs' Lead Counsel Committee with Plaintiff Sonia Urriola's current contact information, including mailing address, telephone numbers, and e-mail address.

4. Plaintiff Sonia 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. The Court also encourages Plaintiff Urriola to contact MDL Plaintiff Attorney Elizabeth Peterson at 612-341-0400 to discuss her options under the Master Settlement Agreement.

5. The Clerk of Court shall mail a copy of this Order to Sonia Urriola at 126 East Third Street, Apt. 3A, New York, NY 10009.

Dated: May 5, 2008

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