

**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:

Peggy J. Kostrach, as Personal Representative
for the Estate of David Kostrach, deceased,

Plaintiff,

v. Civil No. 06-4606 (DWF/AJB)

Guidant Corporation; Guidant Sales
Corporation; Endovascular Technologies,
Inc., a California corporation and a division
of Guidant Corporation; and Does,

Defendants.

**ORDER FOR DISMISSAL
WITH PREJUDICE**

On July 6, 2006, Plaintiff's counsel of record filed a Complaint in the Superior Court of the State of California, County of Los Angeles, North Valley District. Plaintiff's case was thereafter transferred to this Court from the Judicial Panel on Multidistrict Litigation.

On April 25, 2008, Plaintiff, by and through her counsel of record, filed a Stipulation of Dismissal With Prejudice (MDL No. 05-1708 (DWF/AJB), Doc. No. 2793; Civ. No. 06-4606 (DWF/AJB), Doc. No. 5), pursuant to Federal Rule of Civil Procedure 41(a)(1).

After consideration of the submissions and review of the procedural history of the file, the Court hereby enters the following:

ORDER

Based upon the Stipulation, **IT IS HEREBY ORDERED** that all claims of Plaintiff Peggy J. Kostrach, as Personal Representative for the Estate of David Kostrach, deceased (Civ. No. 06-4606 (DWF/AJB)), against all named Defendants are **DISMISSED WITH PREJUDICE** in their entirety, and each party shall bear its own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 12, 2008

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