

**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:

Angelo Roberts,

Plaintiffs,

v. Civil No. 06-5073 (DWF/AJB)

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

Defendants.

ORDER

On or about July 14, 2006, Plaintiff Angelo Roberts, deceased, filed his Complaint in the Superior Court of the State of California. The Defendants removed the action to the United States District Court for the Central District of California. Thereafter, the action was transferred to the United States District Court for the District of Minnesota by the Judicial Panel on Multidistrict Litigation.

Plaintiff Benjamin Jones passed away on or about October 16, 2007. Pursuant to Federal Rule of Civil Procedure 25(a)(1), Plaintiff's surviving spouse, Donna Luck, by and through counsel, now seeks an order from this Court substituting Donna Luck, in her individual capacity and as the heir and successor in interest to Angelo Roberts, as the

proper party-Plaintiff in this action. Having considered the submissions and reviewed the procedural history of the file, **IT IS HEREBY ORDERED:**

1. Donna Luck's (surviving spouse of Plaintiff Angelo Roberts) Motion to Substitute Party (MDL No. 05-1708 (DWF/AJB), Doc. No. 2805; Civ. No. 06-5073 (DWF/AJB), Doc. No. 11) is **GRANTED**.

2. Donna Luck, in her individual capacity and as the heir and successor in interest to Angelo Roberts, shall be substituted for Plaintiff Angelo Roberts, in the above-referenced matter.

Dated: May 28, 2008

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