

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS LIABILITY
LITIGATION

MDL No. 0:05-md-01708-DWF-AJB

Case No: 0:07-cv-03825-DWF-AJB

Alexander, et al.
Plaintiff(s)

**MOTION TO WITHDRAW AS
COUNSEL OF RECORD WITHOUT
SUBSTITUTION FOR PLAINTIFF
ROBERT CANADAY SR.**

v.

Guidant Corporation, et al.
Defendant(s).

**MOTION TO WITHDRAW AS COUNSEL OF RECORD WITHOUT
SUBSTITUTION FOR PLAINTIFF ROBERT CANADAY SR.**

Pursuant to Rule 83.7(b) of the Local Rules of the United States District Court for the District of Minnesota, counsel for Robert Canaday Sr., Brown & Crouppen, P.C.; Seth S. Webb; Aylstock, Witkin, Kreis & Overholtz, PLLC; Barrios, Kingsdorf & Casteix, LLP; Lundy & Davis; Andrus & Boudreaux, PLC; and all other attorneys of record in this matter hereby request the Court and counsel allow for the withdrawal as counsel of record for Robert Canaday Sr. The undersigned currently are listed as counsel for Robert Canaday Sr. and of counsel and hereby request withdrawal and in support thereof state:

Counsel has discussed with Plaintiff the status of the proceedings, the existence of a proposed settlement, the likely recovery under the settlement, the necessary steps to remain part of that settlement, the deadline for meeting the requirements for remaining part of the settlement, including deadline for providing claimant's release and declaration. Plaintiff has refused to provide release of the defendant in this matter. Plaintiff's failure to sign has created irreconcilable differences with counsel.

A copy of this motion will be served upon Plaintiff at his last known address of 1616 County Road 2265, Moberly, MO 65270.

Dated: June 10, 2008

Respectfully submitted,

BROWN AND CROUPPEN, P.C.

/s/ SETH SHARROCK WEBB

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***OF COUNSEL FOR PLAINTIFF
ROBERT CANADAY SR.***

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Withdraw As Counsel of Record Without Substitution has been filed electronically on this 10th day of June 2008 using the Court's CM/ECF system and sent via USPS Certified Mail to Plaintiff Robert Canaday Sr. at his last known address of:

1616 County Road 2265
Moberly, MO 65270

Dated: June 10, 2008

Respectfully submitted,
BROWN AND CROUPPEN, P.C.

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