UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In Re: GUIDANT CORP. IMPLANTABLE DEFIBRILATORS PRODUCTS LIABILITY LITIGATION

MDL No. 05-1708 DWF/AJB

RUSSELL HILLEBRAND, et al.,

Plaintiff(s),

Case No. 06-cv-03676 DWF/AJB

v.

GUIDANT CORPORATION, et al.,

Defendant(s).

MOTION TO WITHDRAW AS COUNSEL OF RECORD WITHOUT SUBSTITUTION FOR PLAINTIFFS CHARLES AND BARBARA CONSTANTINE *ONLY*

Pursuant to Rule 83.7(c) 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 SimmonsCooper LLC, currently listed as counsel of record for plaintiffs Charles and Barbara Constantine wishes to withdraw as counsel for Plaintiffs Charles and Barbara Constantine in this case for the following reasons:

Despite multiple attempts and diligent efforts by counsel to obtain Plaintiffs' signed release of the defendant in this matter, Plaintiffs have not signed the required release. Plaintiffs' failure to sign has created irreconcilable differences with counsel, and counsel's continued representation of Plaintiffs would impose an unreasonable financial burden on counsel.

This office has communicated with the clients, Charles and Barbara Constantine, has informed them of our intent to withdraw as counsel of record, and has served them with a copy of the Motion to Withdraw simultaneously with the filing of this motion with the Court.

Dated: June 10, 2008

Steven Davis

Steven D. Davis
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CERTIFICATE OF SERVICE

I certify that a copy of the Motion to Withdraw as Counsel of Record Without Substitution was filed and served on this 10th day of June, 2008, on all counsel of record through the court's ECF service and upon the plaintiffs Charles and Barbara Constantine at their last known address of:

Charles P. Constantine
Barbara Constantine
601 Allen Street
Lansing, MI 48912

Dated: June 10, 2008

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