
**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In Re: GUIDANT CORP. IMPLANTABLE
DEFIBRILATORS PRODUCTS LIABILITY
LITIGATION

MDL No. 05-1708 DWF/AJB

DONALD WRIGHT, et al.,

Plaintiff(s),

Case No: 06-cv-04826 DWF/AJB

v.

GUIDANT CORPORATION, et al.,

Defendant(s).

**MOTION TO WITHDRAW AS COUNSEL OF RECORD WITHOUT SUBSTITUTION
FOR PLAINTIFF MARY NEWTON *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 plaintiff Mary Newton wishes to withdraw as counsel for Plaintiff Mary Newton in this case for the following reasons:

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

This office has communicated with the client, Mary Newton, has informed her of our intent to withdraw as counsel of record, and has served her with a copy of the Motion to Withdraw simultaneously with the filing of this motion with the Court.

Dated: June 10, 2008



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 plaintiff Mary Newton at her last known address of:

*Mary Newton
240 W 129th St, Apt. 5A
New York, New York 10027*

Dated: June 10, 2008



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