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**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In Re: GUIDANT CORP. IMPLANTABLE  
DEFIBRILATORS PRODUCTS LIABILITY  
LITIGATION

MDL No. 05-1708 DWF/AJB

SHANNON ARCHEY, et al.,

Plaintiff(s),

Case No. 06-cv-04420 DWF/AJB

v.

GUIDANT CORPORATION, et al.,

Defendant(s).

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**MOTION TO WITHDRAW AS COUNSEL OF RECORD WITHOUT SUBSTITUTION  
FOR PLAINTIFFS MANUEL PAGAN AND THERESA PAGAN *ONLY***

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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 Manuel Pagan and Theresa Pagan wishes to withdraw as counsel for Plaintiffs Manuel Pagan and Theresa Pagan 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 client, Manuel Pagan and Theresa Pagan, 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



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Steven D. Davis  
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707 Berkshire Blvd.  
East Alton, Illinois 62024  
Ph: 618-259-2222  
Fax: 618-259-2251

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**CERTIFICATE OF SERVICE**

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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 Manuel Pagan and Theresa Pagan at their last known address of:

*Manuel Pagan  
Theresa Pagan  
13 Heights Dr.  
Brodheadsville, PA 18322*

Dated: June 10, 2008



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