

**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:

Pamela Barber, *et. al.*,

Plaintiffs,

v. Civil No. 07-2407 (DWF/AJB)

Guidant Corporation, *et. al.*,

Defendants.

(as to Plaintiff Dan Warren only)

**ORDER**

On June 20, 2008, the Court granted The Law Office of Patrick J. Mulligan, P.C.'s motion for withdrawal of counsel for Plaintiff Dan Warren. (MDL No. 05-1708 (DWF/AJB), Doc. No. 3110; Civ. No. 07-2407 (DWF/AJB), Doc. No. 28.) The Court granted that Motion based on representations made by Patrick J. Mulligan, Esq., *signed pursuant to Federal Rule of Civil Procedure 11*, that “[d]espite 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.” (MDL No. 05-1708 (DWF/AJB), Doc. No. 2908; Civ. No. 07-2407 (DWF/AJB), Doc. No. 19.)

On June 24, 2008, the Court received an e-mail from Mr. Warren's wife, Bobette Warren, which is attached to this Order as Exhibit A. In that e-mail, Mrs. Warren explains that Mr. Warren died on June 10, 2007. She further states that neither she (nor her husband, before he died) had received any communication with The Law Office of Patrick J. Mulligan, P.C. for the past twelve months. And Mrs. Warren objects to the withdrawal of counsel. Given this, **IT IS HEREBY ORDERED** that:

1. The Court's June 20, 2008 Order (MDL No. 05-1708 (DWF/AJB), Doc. No. 3110; Civ. No. 07-2407 (DWF/AJB), Doc. No. 28) is **VACATED AS TO PLAINTIFF DAN WARREN ONLY.**

2. The Law Office of Patrick J. Mulligan, P.C. shall respond to Ms. Warren's communication within ten (10) days from the date of this Order. This response shall include detailed information as to the nature of its contacts with the Warrens prior to the filing of the motion for withdrawal of counsel.

Dated: June 27, 2008

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