

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MINNESOTA**

Chambers of
DONOVAN W. FRANK
DISTRICT JUDGE

Warren E. Burger Federal Building
316 North Robert Street, Room 738
St. Paul, Minnesota 55101
(651) 848-1290

October 3, 2008

BY U.S. MAIL

Ms. Virginia Mitchell
on behalf of Robert Mitchell
25841 Morganton Way
Sun City, CA 92586

**Re: In re: GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION
MDL No. 05-1708 (DWF/AJB)**

*Patricia Allen, individually and as personal representative of the estate of
Burney Allen, et al. v. Guidant Corporation, Guidant Sales Corporation,
Cardiac Pacemakers Inc., and Boston Scientific Corporation*
Civil No. 07-2913 (DWF/AJB)

Motion to Withdraw as Counsel

Dear Ms. Mitchell:

On September 11, 2008, your attorneys filed an application to withdraw as counsel of record in the above-entitled matter. Before I rule on that application, I am giving you a chance to respond in writing to let me know if you oppose or support the application. If you wish to respond, please do so within one week of receipt of this letter. You may send your response to me by mail (316 North Robert Street, St. Paul, Minnesota 55101); by fax (651-848-1292); or by e-mail (frank_chambers@mnd.uscourts.gov). For your convenience, I am including a copy of the motion for your review.

I am electronically filing a copy of this letter so that Plaintiffs' Lead Counsel and Defendants' attorneys will receive a copy of this letter. By this letter, I am also giving those attorneys one week to support or oppose the motion by electronically filing their statement and mailing a copy of their statement to you. By this letter, I am also requesting that your attorneys verify that you have received a copy of this letter.

Ms. Virginia Mitchell
October 3, 2008
Page 2

After I receive the responses to the motion to withdraw, if any, I will either rule on the motion based on the papers submitted or schedule a telephone conference to discuss the motion.

Very truly yours,

s/Donovan W. Frank

DONOVAN W. FRANK
Judge of United States District Court

DWF:rlb
Enclosure

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