

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

This filing relates to:
0:06-cv-03770-DFW-AJB

DON DUVALL,

Plaintiff,

v.

Guidant Corporation, et al.,

Defendants.

NOTICE OF APPEARANCE

Case No. MDL No. 05-1708

**MOTION TO WITHDRAW AS COUNSEL OF RECORD WITHOUT
SUBSTITUTION FOR PLAINTIFF DON DUVALL ONLY**

Pursuant to Rule 83.7(c) of the Local Rules of the United States District Court for the District of Minnesota, Howard L. Nations, The Law Offices of Howard L. Nations and any other attorneys currently listed as counsel of record for Plaintiff Don Duvall request that they be permitted to withdraw as counsel for Plaintiff for the following reasons:

Despite several conversations with Plaintiffs' guardian, speaking with Plaintiff's guardian's personal attorney, and subsequent attempts to contact Plaintiff's guardian, Plaintiffs' guardian has not signed the Release and has not permitted personal contact with Plaintiff Don Duvall. The failure to sign the Release has created irreconcilable differences with counsel.

This office has attempted to contact Plaintiff's guardian, has left voice messages notifying her of this request to withdraw as counsel, and has served her with a copy of the Motion to Withdraw simultaneously with the filing of this Motion with the Court.

Dated: November 23, 2008

Howard L. Nations

Howard L. Nations
The Law Offices of Howard L. Nations
4515 Yoakum Blvd.
Houston, TX 77006-5895
(713) 807-8400
(713) 807-8423 (Facsimile)

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on November 23, 2008, a copy of the foregoing was filed electronically. Notice of this filing will be sent by email to all counsel of record by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's CM/ECF System.

A handwritten signature in black ink that reads "Howard L. Nations". The signature is written in a cursive, flowing style.

Howard L. Nations