

**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

January 26, 2009

BY U.S. MAIL

Mr. Steve Gaydos
1312 Whitewood Way
Clermont, FL 34714

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

***Steve Gaydos, et al., v. Guidant Corporation, et al.,*
Civil No. 06-32 (DWF/AJB)**

Dear Mr. Gaydos:

I am writing to you in response to your call to my chambers on January 23, 2009, in which you expressed frustration with the MDL process and statements made regarding you in my Orders. I want to assure you that I have never written any Order in which the word "ignorant" or other such words were used to describe you or your actions. It is worth noting that when drafting Orders, judges, including myself, often do not distinguish between the actions of the party to the lawsuit and his or her attorney. Instead, it is commonplace for Orders to use the name of the party collectively to indicate the actions of either or both the party and his or her attorney.

For your review, I am enclosing copies of the Orders that I entered in your case. The Orders are dated July 3, 2006, September 14, 2006, and October 10, 2006. I am also enclosing a copy of an Order dated August 1, 2007 from the Eighth Circuit Court of Appeals. As you can see from those Orders, your case was dismissed with prejudice for failure to complete the Plaintiff's Fact Sheet.

Mr. Steve Gaydos

January 26, 2009

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As a sitting United States District Court Judge, I cannot give you legal advice. If you have any questions about your legal rights, your legal options, or any other questions about my letter, I urge you to consult with an attorney. If you cannot afford to hire an attorney, there may be a volunteer attorney service in your area.

Very truly yours,

s/Donovan W. Frank

DONOVAN W. FRANK
Judge of United States District Court

DWF:rlb

Enclosures

c: Carlos R. Diez-Arguelles, Esq. (By ECF only w/o attachments)
Charles S. Zimmerman, Esq. (By ECF only w/o attachments)
Deborah A. Moeller, Esq. (By ECF only w/o attachments)