
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In Re: GUIDANT CORP. IMPLANTABLE
DEFIBRILATORS PRODUCTS LIABILITY
LITIGATION

MDL No. 05-1708(DWF/AJB)

JAMES SANDVIG, ET AL.

Plaintiff(s),

Case No: 06-CV-00382 (DWF/AJB)

v.

GUIDANT CORPORATION, et. al.,
Defendant(s).

AMENDED MOTION TO WITHDRAW AS COUNSEL OF RECORD WITHOUT
SUBSTITUTION FOR PLAINTIFF JAMES SANDVIG *ONLY*

Pursuant to Rule 83.7(c) of the Local Rules of the United States District Court for the District of Minnesota, counsel for James Sandvig, Whatley Drake and Kallas, LLC; Pulaski & Middleman, LLC; Burke, Harvey & Frankowski, LLC; and all other attorneys listed as counsel of record for Plaintiff James Sandvig, request that they be permitted to withdraw as counsel for Plaintiff for the following reasons:

Despite 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.

Counsel has communicated with the client, James Sandvig, and has informed him of our intent to withdraw as counsel of record, and has served him with a copy of the Motion to Withdraw simultaneously with the filing of this motion with the Court.

Dated: October 22, 2008

/s/ Joe R. Whatley, Jr.

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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on October 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.

/s/Joe R. Whatley, Jr.
OF COUNSEL