

**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:

Theodore Cohen,

Plaintiff,

v. Civil No. 06-16 (DWF/AJB)

Guidant Corporation; and Does 1 through 50
inclusive,

Defendants.

ORDER

A dispute appears to have arisen among the parties regarding the Court's March 31, 2010 Order and the April 7, 2010 Conditional Remand Order from the Judicial Panel on Multi-District Litigation regarding the contents of the record to be remanded to the original transferor court. Pursuant to a letter dated May 28, 2010, Guidant's counsel informed the Court that Plaintiff's counsel will not identify which specific docket entries Plaintiff wishes to include in the record to designate for remand.

The Court respectfully directs Plaintiff's counsel to confer with Guidant's counsel within one week of this Order regarding the record to designate for remand. If Plaintiff's counsel seeks to include additional docket entries from those designated by Guidant, Plaintiff's counsel should, at that time, identify the additional docket entries. Guidant

will then have an opportunity to review the additional entries and respond with any objections within a week of receiving Plaintiff's request. If the parties can reach a joint stipulation, as initially intended, the parties need not involve the Court any further in the matter. If Plaintiff's counsel does not respond within the ordered time frame, the record will be deemed stipulated to as proposed by Guidant.

IT IS SO ORDERED.

Dated: June 11, 2010

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