

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE  
DEFIBRILLATORS PRODUCTS  
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

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This Document Relates to:

Frederick B. Nimtz,

Plaintiff,

v. Civil No. 08-4999 (DWF/AJB)

Daniel Cepin, M.D.; Guidant Corporation;  
and Does 1 to 20,

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 has not responded to Guidant's attempts to reach agreement regarding 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