

**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

This matter is before the Court on the parties' request that the Court settle a dispute regarding the contents of the record to be remanded to the original transferor court. The parties have exchanged letter briefs with the Court. It appears that seven documents remain in dispute, as follows:

Docket Number from MDL 05-1708	Description
132	Amended Master Complaint
620	Plaintiffs' Master Motion for Leave to Amend or Supplement All Complaints to Name Boston Scientific as Defendant
1145	Stipulation and Order Regarding Amendment of Master Complaint to Add Claim for Punitive Damages

Docket Number from MDL 05-1708	Description
1195	Plaintiffs' First Amended Master Complaint
1681	Defendant Cardiac Pacemaker Inc.'s Answer to First Amended Master Complaint
1682	Defendant Guidant Corporation's Answer to First Amended Master Complaint
1683	Defendant Guidant Sales Corporation's Answer to First Amended Master Complaint

In order to expedite this matter, but without ruling on the admissibility of these documents toward any issues in the remanded case, the Court sees no harm in including these documents in the record for remand. Thus, the record for remand shall include all docket entries for individual case Civ. No. 06-16 (DWF/AJB), except for Doc. Nos. 4 and 5; the docket entries listed in the chart on pages 4-6 of Guidant's letter to the Court dated August 6, 2010 (Doc. No. 14); and the documents in the above chart.

IT IS SO ORDERED.

Dated: August 30, 2010

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