

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This document applies to:

ALL ACTIONS

**ORDER FOR DISTRIBUTION OF
FUNDS ORDERED BY THE COURT
ON OCTOBER 18, 2010**

This matter is before the Court on the request of the Plaintiffs' Steering Committee ("PSC") for reimbursement for certain attorney fees and expenses from this Court's set aside for Common Benefit Attorney Fees and Costs. Based upon the Court's review of the submissions of the parties, including the pleadings, records, and recommendation of the PSC, this Court entered its Order Regarding Reimbursement for Common Costs on October 18, 2010. (Doc. No. 4747.) The Court respectfully requested that within ten (10) days of this Order, the Lead Counsel Committee ("LCC") contact the Court to recommend the specific MDL accounts from which the Court could order payment of common costs, consistent with its October 18, 2010 Order. The LCC has provided the Court with this requested information and the Court agrees with the LCC's proposed funding mechanism.

Thus, **IT IS HEREBY ORDERED** that:

1. The Claims Administrator, Analytics, Inc., shall distribute payments of Common Costs consistent with its October 18, 2010 Order (Doc. No. 4747).

2. Any fees incurred by the Claims Administrator in connection with the wire transfers ordered by the Court shall be paid from the Common Benefit Cost Fund.

3. U.S. Bank shall transfer \$1,315,486.18 from the Guidant Settlement Fund Escrow Account to the Guidant Other Common Costs Fund.

4. Payment of common benefit work conducted between February 1, 2009, and July 31, 2010, as allocated by the Court's October 18, 2010 Order, shall be paid from the Guidant Other Common Costs Fund.

5. Payment of the common benefit firms' remaining 25% of common benefit attorney fees that were heldback pursuant to the Court's December 23, 2008 Order Regarding Common Benefit Attorney Fee Allocation (Doc. No. 3558) shall be paid from the Common Benefit Attorneys' Fee Account.

6. The firms that are entitled to receive compensable funds from the Court's October 18, 2010 Order (or any other previous Court Orders not yet collected) shall contact Mr. Jonathan Reid, Guidant Project Manager, at 952/404-5700 *no earlier than 72* hours after posting of this Order to coordinate the wire transfers. The claims administrator shall confirm and/or update wire instructions with each firm by e-mail before any distribution may take place. Absent further Order of this Court, distributions shall be made within five business days after each attorney/firm has completed the paperwork necessary to effectuate the wire transfer.

Date: October 31, 2010

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