

**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:

Carol DiCaro, as Trustee for the Heirs and
Next of Kin of William Napolitano,
Decedent,

Plaintiff,

v. Civil No. 06-3741 (DWF/AJB)

Guidant Corporation, Guidant Sales
Corporation, Cardiac Pacemakers Inc., and
Boston Scientific Corporation,

Defendants.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Carol DiCaro, as Trustee for the Heirs and Next of Kin of William Napolitano, Decedent.

Matthew D. Keenan, Esq., Jane J. Bartley, Esq., and Rachel A. Simek, Esq., Shook Hardy & Bacon LLP, and Jennifer Y. Dukart, Esq., and Joseph M. Price, Esq., Faegre & Benson LLP, counsel for Defendants.

Based upon the Stipulation for Dismissal With Prejudice filed by the Parties on
March 24, 2011 (Sealed Doc. No. [39]) and Chief Magistrate Judge Arthur J. Boylan's

March 24, 2011 Report and Recommendation for Dismissal With Prejudice (Doc. No. [40]),

IT IS HEREBY ORDERED that this action is **DISMISSED WITH PREJUDICE** and on the merits, without costs or disbursements to any party.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 30, 2011

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