

**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 All Actions

**ORDER REGARDING GUIDANT'S
RESPONSE TO PLAINTIFFS'
MOTION TO COMPEL
PRODUCTION OF DEFENDANT
FACT SHEETS**

On February 2, 2007, Plaintiffs filed a Motion to Compel Compliance with Subpoena Duces Tecum or in the Alternative, for a Rule to Show Cause Why the Responding Party Should Not be Held in Contempt (MDL 05-1708 (DWF/AJB), Doc. No. 1141). Plaintiffs did not request oral argument. Plaintiffs filed their motion under seal, and the Court did not receive copies on the motion until February 9, 2007. The subject of Plaintiffs' Motion concerns Dr. Steven L. Higgins, who Plaintiffs are to depose on February 22, 2007. Given this time frame, Guidant shall submit its response to the motion (and provide copies to the Court) by February 16, 2007. The Court will rule on the motion without oral argument; however, it reserves the right to schedule a hearing on the motion.

Dated: February 12, 2007

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