

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE MEDTRONIC, INC.
IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION

MDL NO. 05-1726 (JMR/AJB)

REPORT AND RECOMMENDATION
ON DISBURSEMENTS OF
THIRD PARTY PAYOR
SETTLEMENT
PROCEEDS

Pursuant to settlement conference conducted by the undersigned Magistrate Judge in this matter, specifically relating to lien claims on settlement funds asserted by various third party payors, agreements were reached with each of the lien holders in settlement and satisfaction of their respective lien claims.

Therefore, the Magistrate Judge now **recommends** that an order be entered authorizing the disbursements of settlement proceeds, which disbursements include any attorneys' fees or costs for the respective third party payors in the following manner:

1. Disbursement of \$50,000 to the Health and Welfare Fund of the Excavating, Grading and Asphalt Craft Local # 731;
2. Disbursement of \$400,000 to United Food and Commercial Workers Union and Employers Midwest Health Benefits Fund;
3. Disbursement of \$250,000 to the Vista Health Plan;
4. Disbursement of \$500,000 to Blue Cross Blue Shield of Louisiana;

5. Disbursement of \$1,800,000 to the Guardian Life Ins. Co. of America.

The disbursement of these funds shall constitute the complete and final resolution of the claims asserted by these entities and the disbursements shall be made from the Settlement Account at U.S. Bank pursuant to the direction of the appropriate escrow agreement.

Dated: July 15, 2008

BY THE COURT:

_____/s/Arthur J. Boylan_____

Arthur J. Boylan

United States Magistrate Judge