

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
MDL No. 05-CV-1726(JMR/AJB)

In re: Medtronic, Inc.,)
Implantable Defibrillators)
Product Liability) ORDER
Litigation) FOR DISMISSAL WITH
) PREJUDICE AND REMAND
)
As to all cases)

Defendant, Medtronic, Inc., and plaintiffs' Co-Lead Counsel filed a joint notice of settlement and motion for dismissal with prejudice and suggestion of remand. The Court held a hearing on January 23, 2008. No one opposed the joint motion.

On January 28, 2008, the Court entered an Order suggesting the remand of all non-settling cases originally filed outside the District of Minnesota. See Order for Suggestion of Remand dated January 28, 2008.

The Judicial Panel on Multidistrict Litigation has now remanded the cases filed outside the District of Minnesota. See Conditional Remand Order filed February 28, 2008. There is no reason to further delay dismissal of the settled cases and remand of the remaining cases filed in the District of Minnesota.

Accordingly, IT IS ORDERED that:

1. All pending MDL cases on Appendix A, "Claimants Accepting Settlement - Claims Filed in Federal Court" dated March 26, 2008, are hereby dismissed with prejudice.

2. The claims of all individual plaintiffs appearing on

Appendix B "Multi-Party Complaints (Where Some Plaintiffs Have Accepted Settlement and Some Have Rejected)" dated March 26, 2008, who "consent" to the settlement are hereby dismissed with prejudice.

3. The claims of all individual plaintiffs appearing on Appendix B, "Multi-Party Complaints (Where Some Plaintiffs Have Accepted Settlement and Some Have Rejected)" dated March 26, 2008, who "reject" the settlement are hereby remanded to the Clerk's Office for reassignment.

4. All cases and claims appearing on Appendix C, "Claimants Accepting Settlement - Claims Never Filed" dated March 26, 2008, are hereby deemed filed and dismissed with prejudice.

5. All cases appearing on Appendix D, "Cases Rejecting Settlement Filed Directly in D. Minnesota (Individual Cases Rejecting Settlement Filed Directly in D. Minnesota)" dated March 26, 2008, and the claims of all individual plaintiffs appearing on Appendix D, "Cases Rejecting Settlement Filed Directly in D. Minnesota - (Multi-Party Cases With Select Claimants Rejecting Settlement Filed Directly in D. Minnesota)" are hereby remanded to the Clerk's Office for reassignment.

6. All cases appearing on Appendix E, "State Court Cases Consenting to Settlement" dated March 26, 2008, are hereby deemed filed and dismissed with prejudice.

7. Exclusive jurisdiction to resolve any disputes between

the parties about the settlement agreement shall lie with the Honorable James M. Rosenbaum, United States District Court for the District of Minnesota, or his designee.

8. All parties shall bear their own costs.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 1, 2008

s/ James M. Rosenbaum
JAMES M. ROSENBAUM
United States Chief District Judge