

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
05-MD-1726 (JMR/FLN)

In re Medtronic, Inc.,                    )  
Implantable Defibrillator                )  
Product Liability Litigation            )                    ORDER

Plaintiffs appeal the Order, issued March 24, 2006, by the Honorable Arthur J. Boylan, United States Magistrate Judge, granting in part and denying in part plaintiffs' motion to compel discovery. The appeal of the Order was timely filed under Local Rule 72.1(b) (2).

Upon review, the Court finds the Magistrate's Order is neither clearly erroneous nor contrary to law. Accordingly, the appeal [Docket No. 116] is denied, and the Magistrate's Order [Docket No. 104] is affirmed.

By this Order, the Court advises the moving party that it considers this appeal to be utterly frivolous, and will countenance no further pettifogging. Any further or similar behavior will be dealt with appropriately.

IT IS SO ORDERED.

Dated: May 26, 2006

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