

A CERTIFIED TRUE COPY

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUL 23 2007

FILED
CLERK'S OFFICE

AUG - 8 2007
ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL NO. 1726

*IN RE Medtronic, Inc., Implantable Defibrillators Products
Liability Litigation*

*Dolly Burgess v. Medtronic, Inc., D. Minnesota, C.A. No. 0:07-1389
(W.D. Louisiana, C.A. No. 6:06-1047)*

**SEPARATION OF CLAIMS AND
CONDITIONAL REMAND ORDER**

The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings regarding certain specified claims in the above-captioned action (*Burgess*) have been completed and that remand of those claims to the transferor court, as provided in 28 U.S.C. § 1407(a), is appropriate.

IT IS THEREFORE ORDERED that all claims in *Burgess* related to the Jewel Plus Model 7220, serial number PCW100786R (incorrectly identified by plaintiff and/or referenced as "Medtronic model 7220C Marquis DR") be separated and remanded to the Western District of Louisiana.

IT IS ALSO ORDERED that, pursuant to Rule 7.6 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 436-38 (2001) (Rules), the transmittal of this order to the transferee clerk for filing shall be stayed 15 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the District of Minnesota.

IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), the parties shall furnish the Clerk for the District of Minnesota with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

AUG - 8 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi
Jeffery N. Lüthi
Clerk of the Panel

SCANNED

AUG 14 2007

U.S. DISTRICT COURT MPLS

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vrtil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

August 8, 2007

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

RECEIVED
BY MAIL

AUG 13 2007

CLERK US DIST COURT
MINNEAPOLIS MN

Re: MDL-1726 -- IN RE Medtronic, Inc., Implantable Defibrillators Products Liability Litigation

(See Attached CRO)

Dear Mr. Sletten:

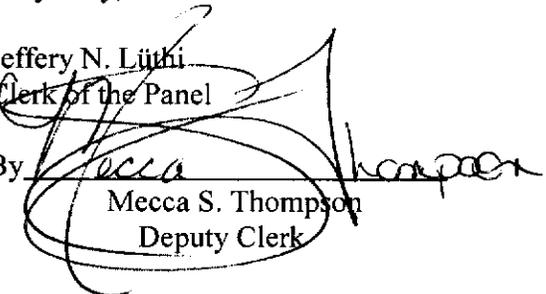
I am enclosing a certified copy and one additional copy of a conditional remand order filed by the Panel in the above-captioned matter on July 23, 2007. The order was entered pursuant to 28 U.S.C. § 1407(a) which provides that "[E]ach action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred...."

Please note that transmittal of the order was stayed 15 days to give any party an opportunity to oppose the remand. The 15-day period has now elapsed, no opposition has been received, and the order is directed to you for filing.

Pursuant to Rule 7.6(g) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 438 (2001), parties are to furnish you with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to enable you to comply with the remand order.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Mecca S. Thompson
Deputy Clerk

Enclosures

cc: Transferee Judge: Judge James M. Rosenbaum
Transferor Clerk: Robert H. Shemwell