

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: MEDTRONIC, INC. IMPLANTABLE
DEFIBRILLATORS PRODUCTS LIABILITY
LITIGATION

MDL No. 05-1726 (JMR/AJB)

This Document Relates to All Actions

ADDENDUM NO. 5 TO AMENDED ORDER

For the reasons stated in the Court's Amended Order [Docket No. 496], dated April 23, 2007, IT IS ORDERED that:

1. The cases identified on the attached Appendix A -- cases filed in the District of Minnesota related to non-field action devices -- are hereby severed from MDL 1726 and shall be reassigned in accordance with the procedures in this District.

2. The claims identified on the attached Appendix C -- non-field action device claims filed in the District of Minnesota ancillary to claims involving either the February 2005 or April 2004 field actions -- are hereby severed from MDL 1726 and dismissed without prejudice. These claims may be re-filed at the respective plaintiff's discretion.

3. The paragraphs identified on the attached Appendix C -- paragraphs containing allegations concerning or referencing non-field action devices -- are hereby stricken from their respective complaints.

6. The Clerk of this Court is directed to file a copy of the Court's Amended Order, dated April 23, 2007, and this Addendum in each of the cases identified on the attached Appendices A and C.

7. The Clerk of this Court shall provide a copy of this Addendum to the Clerk of the Judicial Panel on Multidistrict Litigation.

Dated: October 1st, 2007

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

APPENDIX A, ADDENDUM NO. 5

Cases to be reassigned:

William Andrews v. Medtronic, Inc.

United States District Court, District of Minnesota

Civil Action Case No.: 0:07-cv-01229-JMR-AJB

InSync II Marquis 7289

Willie Coulter v. Medtronic, Inc.

United States District Court, District of Minnesota

Civil Action Case No.: 0:06-cv-01428-JMR-AJB

Micro Jewel II 7223Cx

APPENDIX C, ADDENDUM NO. 5

**Claims and/or allegations pertaining to devices outside the scope of MDL 1726
which are dismissed without prejudice and/or stricken from the complaints:**

Janet Saliski v. Medtronic, Inc.

United States District Court, District of Minnesota

Civil Action No.: 0:07-cv-01016-JMR-AJB

Claims dismissed: All claims related to the Maximo DR Model 7278, Serial
No. PRM111119H

Paragraphs stricken: ¶¶ 3.2 and 6: references to Maximo DR Model 7278, Serial
No. PRM111119H

Gail Tomlin v. Medtronic, Inc.

United States District Court, Southern District of Florida

Civil Action Case No.: 9:06-cv-80584-DMM-LRJ

MDL Civil Action Case No.: 0:06-cv-03310-JMR-AJB

Paragraphs stricken: ¶¶ 12, 13, 15, 16, 17, 18, 21, 22, 24, 25, 26, 27, 30, 31, 32, 35,
36, 37, 38, 39, 42, 43, and 44: references to Maximo VR
7232Cx, Serial Number PRN102670H