

**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:

Kevin Bailey and Barbara Bailey, Irving
Winter and Marilyn Winter, Claudia Neal
o/b/o Ernest A. Neal, Corine Pesce o/b/o
Michael Pesce, Stephen Herman and Judith
Herman, Salim Fayad and Diane Fayad,
Joseph Garafalo, Joseph Pisano and Sandra
Pasano,

Plaintiffs,

v.

Medtronic, Inc.

Defendant.

[As To Plaintiff, Irving Winter, Only]

Case No. 0:07-cv-00763-JMR/AJB

**ORDER TO VACATE ADDENDUM NO. 4 TO AMENDED ORDER
DATED APRIL 23, 2007 [DKT #678] AND REINSTATE THE CLAIM OF
PLAINTIFF IRVING WINTER TO MDL NO. 1726**

Before this Court is the stipulation of Plaintiff Irving Winter and Defendant Medtronic, Inc. The Court finds that Plaintiff Irving Winter's claim was inadvertently included in the Addendum No. 4 to Amended Order dated April 23, 2007, Appendix B [Dkt. Entry #4/MDL Dkt. Entry #678] and Plaintiff's claim was severed and dismissed in error.

The Court therefore VACATES THE ADDENDUM NO. 4 TO AMENDED ORDER DATED APRIL 23, 2007, as it relates to PLAINTIFF IRVING WINTER'S CLAIM from MDL 1726. The Court further ORDERS REINSTATEMENT of PLAINTIFF IRVING WINTER'S CLAIM related to the Maximo DR Model 7278AA, Serial No. PRM601640S, in MDL 1726.

IT IS SO ORDERED.

Dated: October 19th, 2007.

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