UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In Re: Medtronic, Inc. Implantable Defibrillators Products Liability Litigation	MDL No. 05-1726 (JMR/ABJ)
This Document Relates to All Actions	**ORDER RE: THIRD PARTY SUBPOENAS**

On Thursday February 16, 2006, the Court held a status conference in the above-captioned litigation. Appearances were made by lead counsel for Plaintiffs and Defendant. During the conference, Defendant argued that Plaintiffs' third-party subpoenas to entities that may possess explanted ICDs and CRT-Ds relevant to the issues in this case should not be permitted because it constitutes discovery outside the scope of the preemption issue. Plaintiffs argued that there is no limitation imposed on third-party discovery and that, in any event, the subpoenas preserve important relevant evidence. The Court has considered Medtronic's request in this regard and declines to preclude enforcement of the subpoenas at this time. To the extent that Defendant's request is considered as a motion to quash, the motion is denied. Plaintiffs shall provide Defendant with copies of any and all documents and things obtained by Plaintiffs pursuant to the third-party subpoenas. Neither party shall conduct any testing of any ICDs, CRT-Ds or other devices manufactured by Defendant and made available for inspection pursuant to the subpoenas until further order of the Court.

Dated: March 16, 2006

_s/ Arthur J. Boylan_____
ARTHUR J. BOYLAN
United States Magistrate Judge

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