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	REPORT AND RECOMMENDATION REGARDING SCOPE OF MDL 1726

This matter was referred to this Court for a Report and Recommendation upon Medtronic, Inc.'s Motion to Strike, For Partial Dismissal and For Severance of Certain Claims (the "Motion"). This Court having considered the Motion and the arguments of the parties adopts the following Report and Recommendation:

The scope of this multidistrict proceeding, styled *In re: Medtronic, Inc., Implantable Defibrillators Products Liability Litigation,* MDL No. 05-1726-JMR/AJB ("MDL 1726"), shall be limited to and include only cases involving claims relating to the eight (8) models of Marquis Devices that are actually subject to the field action commenced by Medtronic, Inc. ("Medtronic") in February 2005 (the "February 2005 Field Action")[1] and/or the Gem DR Model 7271 ("Gem DR") or Micro Jewel II Model 7223Cx ("Micro Jewel II") devices that are actually subject to the field action

[1] The term "February 2005 Field Action" refers to Medtronic's February 2005 Health Safety Advisory issued for the following models of implantable cardioverter defibrillators ("ICDs") and cardiac resynchronization therapy defibrillators ("CRT-Ds") with batteries manufactured between April 2001 and December 2003: Marquis® VR Model 7230, Marquis® DR Model 7274, Maximo™ VR Model 7232, Maximo™ DR Model 7278, InSync Marquis™ Model 7277, InSync II Marquis™ Model 7289, InSync III Marquis™ Model 7279, and InSync III Protect™ Model 7285 (collectively, the "Marquis Devices.")

implemented by Medtronic in April 2004 (the "April 2004 Field Action").[2] Any cases currently included in MDL 1726 or that are filed in or transferred to MDL 1726 in the future that involve claims related to any devices not subject to either the February 2005 Field Action or the April 2004 Field Action should be severed from MDL 1726 and remanded back for further proceedings either to (i) the District of Minnesota, if such cases or claims were filed directly into this District or MDL 1726; or (ii) the original transferor courts if initially filed in or removed to a district court other than this District. In addition, any unnecessary allegations concerning or references to any devices other than the Marquis Devices, the Gem DR, and the Micro Jewel II shall be stricken from any complaint remaining in or that hereinafter becomes a part of MDL 1726.This Court has express authority from the JPML to exercise its discretion to control the scope of MDL-1726 and suggest remand of dissimilar cases that do not belong in MDL-1726. In the October 18, 2006 Transfer Order transferring the *Joey Phillips, etc. v. Medtronic, Inc.* case from the Middle District of Tennessee to MDL-1726, the Panel stated as follows:

> Should the circumstances regarding any MDL-1726 action develop such that the transferee judge determines that continued inclusion of a claim or action (such as *Phillips*, which the parties agree involves an allegedly defective device not subject to Medtronic's February 2005 recall) no longer remains advisable, and accordingly the transferee court deems Section 1407 remand of any claim or action appropriate, procedures are available whereby this may be accomplished with a minimum of delay following a suggestion of remand to the Panel by the transferee judge.

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[2] The term "April 2004 Field Action" refers to Medtronic's April 2004 Health Safety Advisory issued for identified populations of the Gem DR and Micro Jewel II devices implanted in 1997 and 1998 and containing suspect capacitors from specific component lots.

After consideration, this Court has determined that certain cases which will not benefit from remaining in MDL 1726 should therefore be remanded back to their original transferor courts. The cases selected for severance and remand do not involve the eight models of devices that were subject to the February 2005 Field Action or the two models of devices subject to the April 2004 Field Action, which the parties have stipulated and this Court has agreed shall be required of any case in order for it to remain in MDL 1726.

Cases involving devices not subject to the February 2005 or April 2004 Field Actions will not benefit from the coordinated discovery, pretrial proceedings or uniform pretrial rulings of this MDL. The core coordinated discovery in MDL 1726 is expected to include Medtronic employee witnesses related to the design, regulatory approval, manufacturing, and testing of each of the relevant devices, as well as expert witnesses on each of these topics. Such core coordinated discovery generally will not be applicable to these Non-Field Action cases involving different devices with different design, regulatory and manufacturing histories and different product components and alleged failure mechanisms. Thus, these Non-Field Action cases are unlikely to benefit from consolidated pretrial proceedings in MDL 1726, and the purposes of section 1407 will not be served by the continued inclusion of such cases involving devices that were not subject to either the April 2004 or February 2005 Field Actions.

Instead, these other cases are likely to give rise to their own separate and distinct discovery, pretrial proceedings, and legal issues, and therefore will be more appropriate for individual adjudication outside of MDL 1726 in the original transferor courts from which they arrived. MDL 1726 shall be limited to only those cases that involve devices

subject to the February 2005 Field Action or the April 2004 Field Action taken by Medtronic.

This Court therefore recommends the following actions be taken:

1. Appendix A -- Cases to be Remanded:

The cases on Appendix A to this Report and Recommendation involve claims related to devices other than the Marquis devices subject to the February 2005 Field Action or the Gem DR and Micro Jewel II devices subject to the April 2004 Field Action. Accordingly, the cases identified on Appendix A should be included on a Suggestion of Remand to be issued by Chief Judge James M. Rosenbaum to the Judicial Panel on Multidistrict Litigation ("JPML") for remand back to their original transferor district courts or to the District of Minnesota if such cases were filed directly into this District or MDL 1726.

2. Appendix B -- Claims to be Severed and Remanded:

For the multi-Plaintiff cases or putative class actions identified on Appendix B to this Report and Recommendation, which include certain Plaintiffs or purported class representatives presenting claims for devices not subject to either the February 2005 Field Action or the April 2004 Field Action (the "Non-Field Action Devices"), the claims of those specific Plaintiffs related to the Non-Field Action Devices are hereby severed from the claims of the remaining Plaintiffs in each of those cases. The claims severed for any such Plaintiff should be included on a Suggestion of Remand to be issued by Judge Rosenbaum to the JPML and may be re-filed in the transferor district courts or the

District of Minnesota in the name of the Plaintiff whose claims have been severed from MDL 1726.

3. Appendix C -- Claims to be Stricken and Dismissed Without Prejudice:

For all cases identified on Appendix C to this Report and Recommendation, in which the Plaintiffs in their respective Complaints have asserted claims related to a device subject to the February 2005 Field Action or the April 2004 Field Action along with other claims related to a Non-Field Action Device, the paragraphs set forth on Appendix C for those Complaints, which contain irrelevant allegations concerning or references to devices other than the Marquis Devices, the Gem DR, and the Micro Jewel II, are hereby stricken. All claims in the cases identified on Appendix C that pertain to any Non-Field Action Device are hereby dismissed without prejudice. In order to assist the Court with (i) the efficient administration of MDL 1726, (ii) the timely severance and/or remand of claims or cases not within the scope of MDL 1726 to the appropriate transferor courts, and (iii) as appropriate, in striking any irrelevant allegations concerning or references to devices other than the Marquis Devices, the Gem DR, and the Micro Jewel II in any Complaints that are currently in or later become part of MDL 1726, this Court further Recommends that Medtronic provide Co-Lead Counsel and the Court with an Addendum to this Order, which contains updated Appendices A-C and an accompanying Suggestion for Remand on the last business day of each month, commencing on March 31, 2007, for any cases currently in or hereafter joined in MDL 1726 and subject to the provisions of this Report and Recommendation.

Dated: March 6, 2007

s/ Arthur J. Boylan
The Honorable Arthur J. Boylan
United States Magistrate Judge

APPENDIX A

Cases to be included on the Suggestion of Remand to the JPML:

Ross Akins and Betty E. Akins v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-02416-JMR-AJB (Gem DR Model 7271)

Jacky Lynn Banks v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-03472-JMR-AJB (Maximo VR Model 7232 Cx)

Karoline Berman v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04077-JMR-AJB (InSync II Marquis Model 7289)

Richmond Bradshaw v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-00952-JMR-AJB (Micro Jewel II Model 7223 Cx)

Robert Charles Bridges and Deborah J. Bridges v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04064-JMR-AJB (Marquis DR Model 7274)

Robert Earnest Bright and Margot Scott-Bright v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04075-JMR-AJB (Maximo VR Model 7232 Cx)

Albert William Brink and Doris Brink v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04079-JMR-AJB (Maximo VR Model 7232 Cx)

Demetrus Claude Clark v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04078-JMR-AJB (Maximo DR Model 7278)

Rosemarie Clive v. Medtronic, Inc.
United States District Court, Middle District of Florida
Civil Action Case No.: 5:06-cv-00098-WTH-GRJ
MDL Civil Action Case No.: 0:06-cv-04742-JMR-AJB (Gem DR Model 7271)

Michael Corumia v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-00541-JMR-AJB (Gem DR Model 7271)

Lisa Dash, Individually and as Next Friend of A Minor Child v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: :06-cv-02052-JMR-AJB (Sigma 200SR Model SSR203B)

Annise Davenport and Lacy Davenport v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04084-JMR-AJB (Intrinsic Model 7288)

Andrea Dechter, as Trustee for the Heirs and Next of Kin of Sylvia Fireman, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-01212-JMR-AJB (InSync II Marquis Model 7289)

Marvin Edwards, et ux. and Charles James, et ux. v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-03785-JMR-AJB (Gem II DR Model 7273 and InSync Model 7272) (Maximo DR Model 7278)

Kurt Joseph Fabre and Brenda Fabre v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04073-JMR-AJB (Gem Model 7227 Cx)

Carolyn Goode, Individually and on behalf of the Estate of Robert C. Goode, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-00937-JMR-AJB (Gem DR Model 7271)

Patricia Hammonds, Individually and as Representative of the Estate of Truitt W. Hammonds, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-01349-JMR-AJB (InSync ICD Model 7272)

Luciana Hampton v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-01434-JMR-AJB (Micro Jewel II Model 7223 Cx)

Constance Howell, as Next Friend of Albert Ralph Fisher, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04071-JMR-AJB (InSync IPG Model 8040)

Gwen Idlett, Individually and on behalf of the Estate of Robert Idlett, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-01278-JMR-AJB (Gem DR Model 7271)

Johnnie Curtis Jackson and Barbara H. Brown v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04062-JMR-AJB (Gem III AT Model 7276)

Gilbert Lankford, Individually and as Next Friend of Laquita Lankford, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04063-JMR-AJB (Maximo DR Model 7278)

Barry Lichtenstein and Janis Lichtenstein v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04080-JMR-AJB (Marquis DR Model 7274)

Charles Locklear v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-01308-JMR-AJB (Gem DR Model 7271)

Marta Lynn, as Personal Representative of the Estate of Patrick Lynn, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-00430-JMR-AJB (InSync IPG Model 8040)

Carolyn Oakley v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04811-JMR-AJB (Sigma 200SR Model SSR203B)

Steven Perkins and Lynn Perkins v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-02415-JMR-AJB (Maximo VR Model 7232 Cx)

Joey Phillips, Individually and as Next-of-Kin of Kenneth Phillips, Deceased v. Medtronic, Inc.
United States District Court, Middle District of Tennessee
Civil Action Case No.: 2:06cv00019
MDL Civil Action Case No.: 0:06-cv-04259-JMR-AJB (InSync II Marquis Model 7289)

James Ponczoch v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04568-JMR-AJB (Kappa 700 Series Model KDR701)

Zella Roland, Individually and on behalf of the Estate of Gerald Roland, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-00603-JMR-AJB (Gem DR Model 7271)

Agnes Sabol, Individually and as Executrix of the Estate of Stephen J. Sabol, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04111-JMR-AJB (Sigma 300SR Model SSR303B)

Lawrence Stewart v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-01098-JMR-AJB (Gem II DR Model 7273)

Dwight Surgick v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-01307-JMR-AJB (Gem DR Model 7271)

Alice Thomas v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-02322-JMR-AJB (Maximo DR Model 7278)

Carmeleta H. Wagner, Individually and as Administrator of the Estate of Hobert W. Wagner, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04539-JMR-AJB (Micro Jewel II Model 7223 Cx)

Wanda Walker, Individually and as Personal Representative of the Estate of Harley Walker, Sr., Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-05104-JMR-AJB (Micro Jewel II Model 7223 Cx)

Larry Russell Wardle and Elizabeth Ann Wardle
v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04070-JMR-AJB (InSync II Marquis Model 7289)

Gerald Washington and Angela Washington
v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04068-JMR-AJB (Maximo VR Model 7232 Cx)

APPENDIX B

Plaintiffs in multi-Plaintiff or putative class actions whose claims will be severed and included on the Suggestion of Remand to the JPML:

Amelia Castaneda: (Maximo VR Model 7232 Cx)
Jose Castaneda, as Next Friend of Amelia Castaneda, Deceased; John Dagenhart; Estela Espinoza; Arnulfo Garcia; Alfredo Maldonado; Martin Mungaray; Guillermina Ortiz; and Ina Tyler vs. Medtronic, Inc.
United States District Court for the Eastern District of Texas
Civil Action Case No.: 5:06-cv-00214-DF
MDL Civil Action No.: 0:06-cv-04858-JMR-AJB

Alfred Maldonado: (Marquis VR Model 7230)
Jose Castaneda, as Next Friend of Amelia Castaneda, Deceased; John Dagenhart; Estela Espinoza; Arnulfo Garcia; Alfredo Maldonado; Martin Mungaray; Guillermina Ortiz; and Ina Tyler vs. Medtronic, Inc.
United States District Court for the Eastern District of Texas
Civil Action Case No.: 5:06-cv-00214-DF
MDL Civil Action No.: 0:06-cv-04858-JMR-AJB

William McGonigle: (Gem DR Model 7271)
Marcelino Brontonel and William McGonigle v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04988-JMR-AJB

Guillermina Ortiz: (Maximo DR Model 7278)
Jose Castaneda, as Next Friend of Amelia Castaneda, Deceased; John Dagenhart; Estela Espinoza; Arnulfo Garcia; Alfredo Maldonado; Martin Mungaray; Guillermina Ortiz; and Ina Tyler vs. Medtronic, Inc.
United States District Court for the Eastern District of Texas
Civil Action Case No.: 5:06-cv-00214-DF
MDL Civil Action No.: 0:06-cv-04858-JMR-AJB

James Reavis: (Maximo DR Model 7278)
Robert Morelli, Ben Franklin Serrett, Donald Larry Sigman, Jr., John Donald Smith, Lorene Waller, Mary J. Bowen, Albert N. Porter, Kenneth W. Brazzell, Jackson Bradley Taylor, Joe David Reeves, Lloyd Dilldine, Lois A. Thompson, Robert Marvin Donahoe, James A. Young, Jr., James Edward Reavis, Mark Dale McCormack, Inez D. Jacobs, James William Bewley, Danny Lee Stephens v. Medtronic, Inc.
United States District Court for the Middle District of Tennessee
Civil Action Case No.: 3:06-cv-00112
MDL Civil Action Case No.: 0:06-cv-01541-JMR-AJB

Michael Scacco: (Marquis DR Model 7274)
Thomas Collins and Deborah Collins, Dine Erickson and James Erickson, Leonard Nobles, Nada Dodd, Chester Floyd and Donna Floyd, Kris Hagen and Teri Hagen, Frank Lepre, Peter Pezzella and Ann Pezzella, Michael Scacco and Sylvia Scacco, Robert Kenesky and Larry Burch v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-03837-JMR-AJB

Danny Lee Stevens: (Maximo DR Model 7278)
Robert Morelli, Ben Franklin Serrett, Donald Larry Sigman, Jr., John Donald Smith, Lorene Waller, Mary J. Bowen, Albert N. Porter, Kenneth W. Brazzell, Jackson Bradley Taylor, Joe David Reeves, Lloyd Dilldine, Lois A. Thompson, Robert Marvin Donahoe, James A. Young, Jr., James Edward Reavis, Mark Dale McCormack, Inez D. Jacobs, James William Bewley, Danny Lee Stephens v. Medtronic, Inc.
United States District Court for the Middle District of Tennessee
Civil Action Case No.: 3:06-cv-00112
MDL Civil Action Case No.: 0:06-cv-01541-JMR-AJB

Bobby Sullivan: (Gem II AT Model 7276)
Robert Morgan, Lee Etta Gamble, Bobby Joe Sullivan, Frederick Nelson, Joseph Carrico, Debra Morgan v. Medtronic, Inc.
United States District Court for the Western District of Kentucky
Civil Action Case No.: 1:06-cv-00020-M
MDL Civil Action Case No.: 0:06-cv-02892-JMR-AJB

Rodney Tutt: (Maximo VR Model 7232)
Don DeYoung, on behalf of himself and all others similarly situated, Ira Fine, on behalf of himself and all others similarly situated, Glen Scott, on behalf of himself and all others similarly situated, Judy Sprague, on behalf of herself and all others similarly situated, Rodney Tutt, on behalf of himself and all others similarly situated v. Medtronic, Inc. and Medtronic USA, Inc.; United States District Court for the Southern District of Florida
Civil Action Case No.: 9:05-cv-80853-KLR
MDL Civil Action Case No.: 0:06-cv-00179-JMR-AJB

Marilyn Kuchta: (InSync II Marquis Model 7289)
Kenneth A. Willis, Sr., Joseph E. Hiott, and Marilyn Kuchta, on behalf of themselves and all others similarly situated v. Medtronic, Inc.
United States District Court, District of South Carolina
Civil Action Case No.: 3:05-cv-02020-RBH
MDL Civil Action Case No.: 0:05-cv-02851-JMR-AJB

APPENDIX C

Claims and allegations pertaining to devices not subject to the February 2005 Field Action or the April 2004 Field Action to be dismissed without prejudice and/or stricken from the Complaints:

Richard Breisch v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-04074-JMR-AJB

Claims to be stricken: All claims related to the Maximo DR Model 7278, Serial No. PRM115464H
Paragraphs to be stricken: ¶1 reference to Maximo DR Model 7278, Serial No. PRM115464H

Barney S. Carlson v. Medtronic, Inc.
United States District Court, District of Utah
Civil Action Case No.: 2:06-cv-00646-TC
MDL Civil Action Case No.: 0:06-cv-03938-JMR-AJB

Claims to be stricken: All claims related to the Gem II Model 7273, Serial No. PJK304297H
Paragraphs to be stricken: ¶17 reference to Gem II Model 7273, Serial No. PJK304297H, and ¶¶18-20 in their entirety

Thomas Collins and Deborah Collins, Dine Erickson and James Erickson, Leonard Nobles, Nada Dodd, Chester Floyd and Donna Floyd, Kris Hagen and Teri Hagen, Frank Lepre, Peter Pezzella and Ann Pezzella, Michael Scacco and Sylvia Scacco, Robert Kenesky and Larry Burch v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-03837-JMR-AJB

Claims to be Stricken:
(i) **Larry Burch** - all claims related to the Gem II DR Model 7273, Serial No. PJK200789H
(ii) **Peter Pezzella** - all claims related to the Marquis DR Model 7274, Serial No. PKC144564H
(iii) **Robert Kenesky** - all claims related to the Kappa 900 Series Pacemaker Model KDR901, Serial No. PKM157069H

Paragraphs to be stricken: ¶50 reference to Marquis DR Model 7274, Serial No. PKC144564H, ¶65 reference to Kappa 900 Series Pacemaker Model KDR901, Serial No. PKM157069H, and ¶73 reference to Gem II DR Model 7273, Serial No. PJK200789H

April R. Cox v. Medtronic, Inc. and Medtronic USA, Inc.
United States District Court for the Southern District of Florida
Civil Action Case No. : 06-21490-CIV-Gold
MDL Civil Action Case No.: 0:06-cv-04987-JMR-AJB

Claims to be stricken: All claims related to the Gem Model 7227 Cx, Serial No. PIP105679H

Paragraphs to be stricken: ¶12 reference to device implanted on March 18, 1999 and explanted on June 16, 2004 (Gem Model 7227 Cx, Serial No. PIP105679H)

Robert Kenworthy v. Medtronic, Inc.
United States District Court for the Northern District of Texas
Civil Action Case No.: 4:06-cv-00411-A
MDL Civil Action Case No.: 0:06-cv-03171-JMR-AJB

Claims to be stricken: All claims related to the InSync II Marquis Model 7289AA, Serial No. PRJ615300S

Paragraphs to be stricken: ¶10 references to InSync II Marquis Model 7289AA, Serial No. PRJ615300S, and ¶8 in its entirety

Mary E. Minor, Individually and on behalf of the Estate of Herbert L. Minor, Deceased v. Medtronic, Inc.
United States District Court, District of Minnesota
Civil Action Case No.: 0:06-cv-00525-JMR-AJB

Claims to be stricken: All claims related to the Gem DR Model 7271, Serial No. PIM403234R

Paragraphs to be stricken: ¶¶3, 12, 25 and 98 references to GEM DR Model 7271, Serial No. PIM403234R, and ¶4 in its entirety

Lowell Rogers, Individually and on behalf of all others similarly situated v. Medtronic, Inc.
United States District Court for the Northern District of Mississippi
Civil Action File No.: 2:05-cv-00200-NBB-SAA
MDL Civil Action File No.: 0:06-cv-00180-JMR-AJB

Claims to be stricken: All claims related to the Gem II DR Model 7273, Serial No. PJK302376H

Paragraphs to be stricken: ¶20 reference to Gem II DR Model 7273, Serial No. PJK302376H

Robin Young, as Administrator of the Estate of Don R. Young, Deceased v. Medtronic, Inc.
United States District Court for the Western District of Arkansas
Civil Action File No.: 5:06-cv-05044-JLH
MDL Civil Action File No.: 0:06-cv-01536-JMR-AJB

Claims to be stricken: All claims related to the Gem DR Model 7271, Serial No. PIM401735R

Paragraphs to be stricken: ¶¶21, 24 and 50 references to Gem DR Model 7271, Serial No. PIM401735R