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7 Attorneys for Defendants
 GUIDANT CORPORATION,
 8 GUIDANT SALES CORPORATION,
 CARDIAC PACEMAKERS, INC. and
 9 BOSTON SCIENTIFIC CORPORATION

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 (SAN JOSE DIVISION)

13	KIMBERLY BRITTINGHAM, individually,)	Case No. C07 01679 JF
14	and as successor trustee of the Brittingham)	
15	Trust (of Janet Brittingham Decedent) and)	STIPULATION AND [PROPOSED] ORDER
	DANA BRITTINGHAM individually.,)	TO STAY PRETRIAL DEADLINES
16	Plaintiffs,)	
17	vs.)	
18	GUIDANT CORPORATION, GUIDANT)	
19	SALES CORPORATION, CARDIAC)	
20	PACEMAKERS, INC. AND BOSTON)	
	SCIENTIFIC CORPORATION.,)	
21	Defendants.)	

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 23 IT IS HEREBY STIPULATED by and between the parties through their designated counsel
 24 that all pretrial proceedings, including the June 27, 2007 case management conference, as well as
 25 Defendants Guidant Corporation, Guidant Sales Corporation, Cardiac Pacemakers, Inc., and Boston
 26 Scientific Corporation's (collectively "Guidant") deadline to answer or otherwise respond to
 27 Plaintiffs' complaint, be stayed.

28 This action is one of over 1,240 products liability actions against Guidant that have recently

1 been brought in or removed to federal courts across the country. As a result of these numerous suits,
2 on November 7, 2005, pursuant to 28 U.S.C. § 1407, the Judicial Panel on Multi-District Litigation
3 ("JPML") entered a transfer order establishing an MDL entitled *In re Guidant Corporation*
4 *Implantable Defibrillators Products Liability Litigation*, MDL-1708, and transferring and
5 consolidating a number of cases to the United States District Court, District of Minnesota ("MDL
6 Court" or "MDL 1708"). Guidant intends to seek inclusion of the instant case within the MDL
7 proceeding. Once transferred, all pretrial issues will be governed by scheduling orders entered by
8 the Honorable Donovan W. Frank, who presides over MDL 1708.

9 The parties contend that a stay of pretrial deadlines is appropriate because this action will be
10 transferred to the District of Minnesota and consolidated with *In Re Guidant Corp. Implantable*
11 *Defibrillators Products Liability Litigation*, MDL-1708, for pretrial proceedings. Guidant will
12 include this case in its upcoming 62nd Notice of Potential Tag-Alongs, which will be filed with the
13 JPML. Once the JPML is notified that this case is a tag-along action, it will issue a Conditional
14 Transfer Order transferring this case to the MDL. The parties agree that this case will not remain in
15 this Court.

16 IT IS SO STIPULATED that all pretrial deadlines are stayed.

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18 DATED: April 4, 2007

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

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21 By: 

DANA N. GWALTNEY
SARA J. ROMANO
MIA SOLVESSON

23 Attorneys for Defendants
24 GUIDANT CORPORATION, GUIDANT SALES
25 CORPORATION, CARDIAC PACEMAKERS, INC.,
26 and BOSTON SCIENTIFIC CORPORATION

1 DATED: April 3, 2007

Respectfully submitted,

2 BOURDETTE & PARTNERS

3
4 By: Miriam Bourdette
MIRIAM R. BOURDETTE

5 Attorneys for Plaintiffs
6 KIMBERLY BRITTINGHAM, individually and as
7 successor Trustee of the Brittingham Trust (of Janet
8 Brittingham Decedent) and DANA BRITTINGHAM,
9 individually.

10 **ORDER**

11 Pursuant to stipulation, IT IS SO ORDERED.

12 Dated: 4/6, 2007

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14 THE HONORABLE JEREMY FOGEL

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