

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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IN RE MEDTRONIC, INC.  
SPRINT FIDELIS LEADS PRODUCTS  
LIABILITY LITIGATION

MDL NO. 08-1905 (RHK/JSM)

**ORDER DENYING PLAINTIFFS'  
LEAD COUNSEL'S MOTION TO  
DISMISS AS MOOT**

This documents relates to:  
**Wesley v. Medtronic, Inc. et al.**  
**08-cv-05355**

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On May 31, 2011, Plaintiffs' Lead Counsel filed a Motion to Dismiss the above-referenced matter pursuant to Federal Rule of Civil Procedure 41(a) and the Master Settlement Agreement (Doc. No. 35). However, this case was already dismissed and judgment was entered (Doc. No. 30) before the Master Settlement Agreement was executed; the United States Court of Appeals for the Eighth Circuit later affirmed that dismissal. Accordingly, Plaintiffs' Lead Counsel's Motion to Dismiss pursuant to Rule 41(a) and the Master Settlement Agreement is **DENIED AS MOOT**.

Dated: July 7, 2011

s/ Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge