

EXHIBIT D

**U.S. District Court
Eastern District of California - Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:06-cv-01972-FCD-KJM**

Hosler et al v. Guidant Corporation et al
Assigned to: Judge Frank C. Damrell, Jr
Referred to: Magistrate Judge Kimberly J. Mueller
Cause: 28:1441 Petition for Removal- Product Liability

Date Filed: 09/01/2006
Jury Demand: Both
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff

Clifford Hosler

represented by **Kristin Marie Lucey**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Dale Patton

represented by **Kristin Marie Lucey**
(See above for address)
LEAD ATTORNEY
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V.

Defendant

Guidant Corporation

represented by **Dana Nicole Gwaltney**
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*LEAD ATTORNEY
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Defendant

Guidant Sales Corporation

represented by **Dana Nicole Gwaltney**
(See above for address)
*LEAD ATTORNEY
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Sara J Romano
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Boston Scientific Corporation

represented by **Dana Nicole Gwaltney**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sara J Romano
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Cardiac Pacemakers, Inc.

represented by **Dana Nicole Gwaltney**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sara J Romano
(See above for address)
*LEAD ATTORNEY
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Defendant

Sutter Solano Medical Center

represented by **David Jay Ozeran**
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*LEAD ATTORNEY
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Defendant

Northbay Healthcare Corp.

TERMINATED: 02/23/2007

Date Filed	#	Docket Text
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09/01/2006	<u>1</u>	NOTICE of REMOVAL of Action Under 28 U.S.C. Sections 1441, 1446, and 1332 (Diversity) and Request for Jury Trial from Superior Court County of Solano, case number FCS 028004. by Guidant Corporation, Guidant Sales Corporation, Boston Scientific Corporation, Cardiac Pacemakers, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B1# <u>3</u> Exhibit B2# <u>4</u> Exhibit B3)(Romano, Sara) (Entered: 09/01/2006)
09/01/2006	<u>2</u>	CIVIL COVER SHEET by Guidant Corporation, Guidant Sales Corporation, Boston Scientific Corporation, Cardiac Pacemakers, Inc. (Romano, Sara) (Entered: 09/01/2006)
09/01/2006	<u>3</u>	DISCLOSURE STATEMENT on Behalf of Defendants Filed Pursuant to FRCP 7.1(a) re Notice of Removal. (Romano, Sara) Modified on 9/5/2006 (Krueger, M). (Entered: 09/01/2006)
09/01/2006	<u>4</u>	NOTICE to Plaintiffs of <u>1</u> Notice of Removal by Defendants. (Attachments: ALL ATTACHMENTS DUPLICATIVE OF DOCKET ENTRY <u>1</u>] # <u>1</u> Exhibit A Part 1# <u>2</u> Exhibit A Part 2 # <u>3</u> Exhibit A Part 3# <u>4</u> Exhibit A Part 4# <u>5</u> Exhibit A Part 5)(Romano, Sara) Modified on 9/1/2006 (Brown, T). Modified on 9/5/2006 (Krueger, M). (Entered: 09/01/2006)
09/01/2006	<u>5</u>	CERTIFICATE of SERVICE by Guidant Corporation, Guidant Sales Corporation, Boston Scientific Corporation, Cardiac Pacemakers, Inc. re <u>1</u> Notice of Removal, <u>3</u> Statement, <u>4</u> Notice, <u>2</u> Civil Cover Sheet. (Romano, Sara) Modified on 9/1/2006 (Brown, T). (Entered: 09/01/2006)
09/01/2006		RECEIPT number 202 16418 for \$350.00 for Civil Filing Fee from Ruby G. Darmstadt. (Brown, T) (Entered: 09/01/2006)
09/01/2006	<u>7</u>	CIVIL NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Brown, T) (Entered: 09/01/2006)
09/05/2006	<u>8</u>	NOTICE by Guidant Corporation to United States District Court that Notice of Removal of Action Has Been Filed in State Court. (Romano, Sara) Modified on 9/5/2006 (Krueger, M). (Entered: 09/05/2006)
09/06/2006	<u>9</u>	STIPULATION and PROPOSED ORDER to Continue Pretrial Deadlines by Guidant Corporation. Attorney Dana Nicole Gwaltney added. (Gwaltney, Dana) Modified on 9/7/2006 (Yin, K). (Entered: 09/06/2006)
09/07/2006	<u>10</u>	MOTION to REMAND by Clifford Hosler, Dale Patton. Motion Hearing set for 10/13/2006 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr.. (Attachments: # <u>1</u> Declaration of Kristin Lucey in Support of Motion to Remand# <u>2</u> Proposed Order Granting Motion to Remand# <u>3</u> Certificate of Service)(Lucey, Kristin) (Entered: 09/07/2006)
09/08/2006	<u>11</u>	STIPULATION and ORDER <u>9</u> signed by Judge Frank C. Damrell Jr. on 9/8/06 ORDERING the deadline for Dfts to file an answer shall be as follows: if the case is not remanded to state court, and is transferred to the MDL court, any response will be due pursuant to a deadline set by the MDL court. If the case is not remanded and not transferred to the MDL court, any response will be due 30 days after the decision by the JPML denying transfer to the MDL court, or if the case is remanded, any response will be due 30 days after the remand decision by this Court. The deadline for a joint status report shall be: if the case is not remanded to state court, and is transferred to the MDL court, any joint status report will be due pursuant to a deadline set by the MDL court; or if the case is not remanded and not transferred, the joint status report will be due 30 days after this Court denies remand. All other deadlines will be set pursuant to Federal and local rule. (Krueger, M) (Entered: 09/08/2006)
09/14/2006	<u>12</u>	STIPULATION and PROPOSED ORDER to continue Pretrial Deadlines by attorney David J. Ozeran for defendant Sutter Solano Medical Center. [NOTICE OF NON-

		COMPLIANCE - Filed on Paper] (Marciel, M) (Entered: 09/15/2006)
09/19/2006	<u>13</u>	STIPULATION and ORDER <u>12</u> to continue Pretrial deadlines signed by Judge Frank C. Damrell Jr. on 9/19/06. Plaintiffs and defendant, by and through counsel, stipulate to continued deadlines applied to defendant Sutter Solano Medical Group.(Marciel, M) (Entered: 09/19/2006)
09/19/2006		SERVICE BY MAIL: <u>13</u> Stipulation and Order served on attorney David Jay Ozeran - NOT EDCA ADMITTED (w/Attorney Admission letter and forms) (Marciel, M) Modified on 9/19/2006 (Marciel, M). (Entered: 09/19/2006)
09/29/2006	<u>14</u>	OPPOSITION to Motion to Remand. Attorney Gwaltney, Dana Nicole added. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Certificate of Service)(Gwaltney, Dana) Modified on 10/4/2006 (Marciel, M). (Entered: 09/29/2006)
10/04/2006	<u>15</u>	ORDER STAYING ACTIONS signed by Judge Frank C. Damrell Jr. on 10/4/06. <u>10</u> MOTION to REMAND filed by Clifford Hosler, Dale Patton, - DEFERRED pending resolution of the motion to transfer to MDL. The hearing set for 10/13/06 is VACATED. Case STAYED. (Price, M) (Entered: 10/04/2006)
12/29/2006	<u>16</u>	NOTICE by Guidant Corporation, Guidant Sales Corporation, Boston Scientific Corporation, Cardiac Pacemakers, Inc.. of Issuance of Hearing Session and Transfer Order by Judicial Panel on Multi-district Litigation (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Certificate of Service)(Romano, Sara) (Entered: 12/29/2006)
02/13/2007	<u>17</u>	NOTICE of Issuance of Transfer Order by Judicial Panel on Multidistrict Litigation by Guidant Corporation, Guidant Sales Corporation, Boston Scientific Corporation, Cardiac Pacemakers, Inc. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Certificate of Service) (Romano, Sara) Modified on 2/14/2007 (Marciel, M). (Entered: 02/13/2007)
02/23/2007	<u>18</u>	NOTICE of VOLUNTARY DISMISSAL by Clifford Hosler, Dale Patton. (Lucey, Kristin) (Entered: 02/23/2007)
02/23/2007		PARTY UPDATE: Northbay Healthcare Corp. is TERMINATED. (Marciel, M) (Entered: 02/28/2007)
02/23/2007	<u>19</u>	NOTICE: pursuant to <u>18</u> Notice of Voluntary Dismissal, defendant Northbay Healthcare Corporation is hereby DISMISSED. (Marciel, M) (Entered: 02/28/2007)
03/05/2007	<u>20</u>	ORDER, CASE TRANSFERRED to District of Minnesota. Original file, certified copy of transfer order and docket sheet sent. CASE CLOSED. (Manzer, C) (Entered: 03/05/2007)
03/05/2007	<u>21</u>	TRANSMITTAL LETTER to the District of Minnesota per MDL transfer. (Manzer, C) (Entered: 03/05/2007)

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