

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This Document Relates to:

AFFIDAVIT OF RONALD S. GOLDSER

Cases Listed on the Attached Exhibit A

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

Ronald S. Goldser, being first duly sworn on oath, hereby deposes and says:

That I am an attorney licensed to practice before this Court, and am a partner at Zimmerman Reed. I make this Affidavit in Support of Plaintiffs' Motion to Compel Defendant Fact Sheets in the above litigation.

Attached hereto as Exhibit A is a list of all Plaintiffs that have Defendant Fact Sheets ("DFS") owing.

Attached hereto as Exhibit B is the Court's August 1, 2006 Order.

Attached hereto as Exhibit C is a copy of the Defendant Guidant Case Profile Form ("DFS").

Attached hereto as Exhibit D is the February 19, 2007 e-mail from affiant to Andrew Carpenter outlining delinquent DFS'.

Attached hereto as Exhibit E is a copy of the Court's February 21, 2007 Status Conference Transcript.

Attached hereto as Exhibit F is the February 22, 2007 e-mail from affiant to Andrew Carpenter and his reply.

Attached hereto as Exhibit G is the March 5, 2007 e-mail from affiant to Andrew Carpenter.

Attached hereto as Exhibit H is the March 9, 2007 e-mail from affiant to Andrew Carpenter.

Guidant provided, on March 14, 2007, 100 DFS subsequent to the status conference on February 21, 2007. Guidant has provided no written or verbal explanation of why any itemized DFS is not overdue. Guidant has not responded in writing to any requests for information concerning the overdue DFS.

FURTHER YOUR AFFIANT SAYETH NOT.

Dated: March 15, 2007

s/Ronald S. Goldser
Ronald S. Goldser

Subscribed and sworn to before me
this 15th day of March, 2007.

s/Tina M. Olson
Notary Public