

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
THIRD DIVISION**

In re: Guidant Corp. Implantable
Defibrillators Products Liability Litigation

MDL No. 1708
(DWF/AKB)

This Document Relates to
Leopoldo Duron, Jr.

vs. Case No. 06-00025
Guidant Corp., et al.

**DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT
ON MR. DURON'S FAILURE-TO-WARN CLAIMS
BASED ON THE LEARNED-INTERMEDIARY DOCTRINE**

To: Plaintiffs and their attorneys Richard Arsenault, Neblett, Beard & Arsenault, 2220 Bonaventure Court, Alexandria, LA 71301; Elizabeth Cabraser, Lieff, Cabraser, Heimann & Bernstein, LLP, 275 Battery Street, 30th Floor, San Francisco, CA 94111-3339; Seth R. Lesser, Locks Law Firm, PLLC, 110 East 55th Street, New York, NY 10022; Charles S. Zimmerman, Zimmerman Reed, 651 Nicollet Mall, Suite 501, Minneapolis, MN 55402-4123

PLEASE TAKE NOTICE that at a time and place to be determined by the Court, Defendants, by the undersigned counsel, will move the Court, pursuant to Fed. R. Civ. P. 56 for an Order granting Defendants' Motion and dismissing all of Mr. Duron's failure-to-warn claims.

