

# EXHIBIT F

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**GUIDANT PRODUCTS LITIGATION  
MDL NO. 1708**

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February 14, 2007

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Re: *In re Guidant Corp. Implantable Defibrillators Products Liability Litigation*, MDL 05-1708

Dear Andy:

At the deposition of Richard Vogel on February 7, 2007, Mr. Vogel referenced a monthly spending report colloquially known by Guidant employees as a "Fred Report." *See* Rough Transcript of Deposition of Richard Vogel at 150, *et seq.* Mr. Vogel testified that these reports were stored on the "finance store drive" on Defendants' network and that a Fred Report was generated for every month that Fred McCoy was president of Guidant. *Id.* at 149.

After a diligent search of Defendants' production, Plaintiffs were only able to locate seven different Fred Reports. Three of the seven reports were produced from hardcopy documents, not electronic files. These reports are properly formatted and are roughly 20 pages long. *See* CPI 504 0000831, CPI 504 00001820 and CPI 504 0001917). The remaining four Fred Reports were printed by Defendants from native Excel spreadsheets. Due to poor formatting, three of these four reports are roughly 168 pages long, and completely incomprehensible. *See* CPI 66 000129951, CPI 66 000130508 and CPI 66 000130726. The final report is also improperly formatted causing tables, which should fit onto one page, to spill over onto subsequent pages. *See* CPI 66 000131508. Moreover, each of the seven Fred Reports contains graphs and charts that use color to denote certain data. Therefore, for these charts to be fully useful and legible to Plaintiffs, the spreadsheets must be produced in native format. Please either produce all "Fred Reports" in native format by March 15, 2007, in time for the Fred McCoy deposition on March 28, 2007 or inform Plaintiffs where they can be located in your productions.

Mr. Vogel also mentioned a system called by the acronym "SAP" at his deposition. According to Mr. Vogel, this system tracks sales of all models of devices manufactured by the Defendants. Mr. Vogel also testified that reports could be generated from SAP. Plaintiffs request that Defendants produce a report generated from the SAP system indicating the model number, serial number, date of sale, and state of each sale for all devices at issue in this litigation, from 2000 through 2005. As this report will likely be a very long list of data that would be difficult to

Andrew Carpenter, Esq.  
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use if produced as single page images or in Adobe Acrobat files, Plaintiffs request that this data be produced in a format that can be imported into a database, such as a "comma separated values" file.

Finally, Mr. Vogel offered testimony regarding the financial group's responsibility to create models, which estimate the impact of certain issues with CRM's products (such as the 2001 Prizm recall and the 2004 Renewal recall) on Defendants' financial statements. *See* Rough Transcript of Deposition of Richard Vogel at 145 *et seq.* Plaintiffs have been unable to locate these models, or the underlying analysis supporting these models, in Defendants' production. Accordingly, Plaintiffs request that Defendants produce these documents or indicate by bates number where they are located in Defendants' production

Very truly yours,

ZIMMERMAN REED, PLLP

NEBLETT, BEARD & ARSENAULT

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