

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

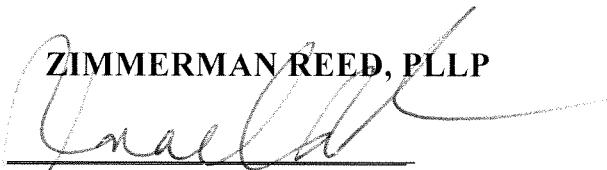
In re Guidant, Inc., Implantable Defibrillator Product Liability Litigation)	Civil No. 05-MDL-1708 (DWF/AJB)
This Document Relates to:)	
All Actions)	

NOTICE OF APPEAL

Notice is hereby given that Plaintiff Tamela Ivens. hereby appeals to the United States Court of Appeals for the Eighth Circuit from this Court's Order, Granting Guidant's Motion to Dismiss the Medicare Secondary Payor Act (Doc 396); dismissing with prejudice Counts XXVII – XXX contained in the Amended Master Complaint; entered on April 16 , 2007. The case was filed as a class action, but no determination as to class certification under Fed.R.Civ.P. 23 has been considered by the District Court.

Dated: May 14 , 2007

ZIMMERMAN REED, PLLP

By: 
Ronald S. Goldser, #35932
Zimmerman Reed, PLLP
651 Nicollet Mall Ste 501
Minneapolis, MN 55402-4123
Phone: 612-341-0400
Fax: 612-341-0844
Email: rsg@zimmreed.com
ATTORNEY TO BE NOTICED

Charles S. Zimmerman
Zimmerman Reed, PLLP
651 Nicollet Mall Ste 501
Minneapolis, MN 55402-4123
Telephone: 612-341-0400
Fax: 612-341-0844
Email: csz@zimmreed.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicholas Drakulich
Jennings & Drakulich, LLP2002 Jimmy
Durante Boulevard
Suite 400 Del Mar, California 92014
Telephone: 858-755-5887
Fax: 858-755-6456
LEAD ATTORNEY
ATTORNEY TO BE NOTICED