

August 25, 2006

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Honorable Donovan W. Frank
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Re: *In Re Guidant Corp. Implantable Defibrillators Products Liability Litigation*
MDL No. 1708 (DWF/AJB)
Deborah J. Schneider vs. Guidant Corp., et al. Case No. 06-01821
Notice of Withdrawal of Defendant's Motion to Dismiss for Failure to Comply with
This Court's January 31, 2006 Order

Dear Judge Frank:

Plaintiff's deadline to submit a Court-ordered Plaintiff's Fact Sheet ("PFS") was June 26, 2006. On August 22, 2006, Defendants Guidant Corporation and Guidant Sales Corporation electronically filed their Motion to Dismiss for Failure to Comply with This Court's January 31, 2006 Order ("Motion to Dismiss") because Plaintiff had not submitted to Defendants her PFS. On August 25, 2006, after Defendants had electronically filed their Motion to Dismiss, Defendants received Plaintiff's PFS. Accordingly, and after receiving permission to file this letter, Defendants hereby respectfully notify the Court of their intention to withdraw their Motion to Dismiss.

Respectfully submitted,

By: /s/ Timothy A. Pratt

cc: MDL Plaintiffs' Lead Counsel and Plaintiff's Individual Counsel (via electronic filing notification)

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