UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
THIRD DIVISION

In re: Guidant Corp. Implantable Defibrillators Products Liability Litigation	MDL No. 1708 (DWF/AJB)
This Document Relates to All Actions	

APPENDIX C TO PLAINTIFFS' MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS THE MASTER COMPLAINT

CLAIMS OF DEVICE RECIPIENT PLAINTIFFS

Appendix C

Master Complaint Allegations Relating to Guidant's Recognition of The Need for Medical Monitoring

Complaint Paragraphs	Allegations
¶ 112	"More recently (and contrary to Guidant's original advice to patients and physicians), Guidant has recommended that a commanded, or induced, shock may be performed to confirm the integrity of circuitry for individuals implanted with a Ventak Prizm 2 DR 1861, although such testing will not exclude the likelihood the device might later fail because of the defect."
¶ 136	"As to currently implanted Contak Renewal 3 & 4 devices, Guidant has recommended that individuals seek medical intervention to switch the magnet off and seek immediate medical attention if the device is emitting audible tones."
¶ 143	"Individuals implanted with AVT devices must undergo medical monitoring to determine whether their device is functioning properly. In the event Guidant issues a 'software solution,' individuals implanted with AVT devices will require additional medical attention to implement the solution."
¶ 148	"The failures in the Guidant Pacemakers can occur without warning although, sometimes, a physician can detect a leak-related malfunction before the malfunction causes serious problems."
¶¶ 154, 156	"Guidant has also recommended that individuals implanted with the Guidant pacemakers consider increasing the frequency of medical visits to increase the likelihood of detecting a failure that has already occurred."
¶ 165	"Guidant was unable to identify which Insignia & Nexus devices would fail and suggested medical treatment for individuals feeling short of breath, dizzy, or lightheaded."
¶ 369	"Plaintiffs thus require increased medical monitoring in addition to that normally required for pacemaker and defibrillator patients, in order to detect, prevent, ameliorate, and reduce the risk of injury, further injury, or death.".

Complaint Paragraphs	Allegations
¶ 370	"Among the remedies that are reasonable and necessary, and can be specifically designed to increase the safety and guard the health of Plaintiffs, and that should be implemented at Defendants' expense, is a comprehensive Device registry system that promptly and timely alerts patients and their doctors to recalls and warnings, as well as other remedies and monitoring which Defendants themselves have acknowledged, such as, if appropriate, testing shocks for devices and extra-monitoring.".