

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This pleading specifically relates to:

MDL No. 06-3822 (DWF/AJB)

RUDY GONZALES and SHARADA GONZALES,
JOHN MORRIS and MARILYN MORRIS, PAUL
SHEPPARD, MARK PANETTA and DEBORAH
PANETTA, RICHARD BALZER and LIZBETH
BALZER, JOHN EGELKROUT and GAIL
EGELKROUT, RUSSELL MATNEY, and
CHARLES PARDUN,

**MOTION FOR LEAVE OF
COURT TO FILE AMENDED
COMPLAINT BY ADOPTION**

Plaintiffs,

-against-

GUIDANT CORPORATION, *et al.*,

Defendants,

**MOTION FOR LEAVE OF COURT TO FILE
AMENDED COMPLAINT BY ADOPTION**

The Plaintiffs, by and through Counsel, for their Motion for Leave of Court to File Amended Complaint by Adoption, allege and state as follows:

1. On September 25, 2006, a Device Recipient Complaint By Adoption was filed in this cause.
2. Said Complaint By Adoption contained a Count for Loss of Consortium, however no spousal information was provided.
3. The Amended Complaint By Adoption contains the necessary spousal

information and does not claim any additional Counts not previously included in the original Complaint By Adoption.

4. Defendants will not be adversely prejudiced by the granting of this Motion.

Respectfully submitted

Date: November 2, 2006,

/s/ John P. Wagner

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CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2006, a copy of the foregoing Motion for Leave of Court to File Amended Complaint by Adoption was filed via the Court's CM/ECF electronic filing system. Notice of this filing will be sent to all parties of record by the Court's CM/ECF electronic filing system. Parties may access this filing through the Court's electronic filing system.

/s/ John P. Wagner

John P. Wagner