

November 30, 2006



Honorable Donovan W. Frank
738 Federal Building
316 North Robert Street
St. Paul, Minnesota 55101

Timothy A. Pratt

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Re: *In Re Guidant Corp. Implantable Defibrillators Products Liability Litigation*
MDL No. 05-1708 (DWF/AJB)

Wenig, et al. (as to Noseck and Ware) vs. Guidant Corp., et al. Case No. 05-2598

Notice of Withdrawal of Defendants' Second Motion to Compel Production of
Completed Plaintiff Fact Sheets and Executed Medical Records Authorizations as
to Plaintiffs Noseck and Ware Only

Dear Judge Frank:

On November 20, 2006, defendants Guidant Corporation, Guidant Sales Corporation and Cardiac Pacemakers, Inc. ("defendants") electronically filed their Second Motion to Compel Production of Completed Plaintiff Fact Sheets and Executed Medical Records Authorizations ("Motion to Compel") as to eight plaintiffs because they had not produced completed plaintiff fact sheets and/or provided properly executed medical records authorizations.

After defendants filed their motion, counsel for Plaintiffs Kenneth Noseck and Jay Ware contacted defendants' counsel and promised to cure plaintiffs' PFS deficiencies. Based upon plaintiffs' counsel's representation that the deficiencies will be cured, and after receiving permission to file this letter, defendants hereby respectfully notify the Court of their intention to withdraw their Motion to Compel as to Plaintiffs Kenneth Noseck and Jay Ware only.

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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