



ZIMMERMAN REED
ATTORNEYS AT LAW

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CONTACT: BUCKY ZIMMERMAN
PHONE: 800.755.0098, ext 202

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GUIDANT LAWSUITS CENTRALIZED IN MINNESOTA

Problems were created here and will be resolved here.

MINNEAPOLIS, MN: After patients file numerous lawsuits across the country, the Judicial Panel on Multidistrict Litigation (MDL) decides that all Guidant lawsuits will be coordinated in Minneapolis. The MDL today issued an order consolidating all lawsuits against Guidant arising from its recalled heart defibrillators. All federal cases have now been transferred to the Federal Court in Minnesota and the Honorable Donovan Frank has been assigned to handle these cases. Minnesota was chosen as the location for the Guidant MDL since many of the Guidant facilities involved in the development and manufacturing of the heart devices are located here. This case raises unique and important medical and social considerations.

Guidant has faced intense scrutiny in recent months after it announced the recall of nearly 50,000 heart defibrillators that could short circuit without warning. As a result of the short circuit, the device can fail to deliver the necessary shock to the heart. Guidant is reported to have discovered the design flaws in early 2002 after receiving two reports of failures. However, instead of immediately recalling the devices, Guidant chose not to notify patients -- or their doctors -- of the potential problem. After the reports surfaced, many lawsuits were filed against Guidant. Approximately ten cases have been filed in Minnesota since that time. In the litigation, Guidant has been ordered to disclose confidential information and to provide witnesses for depositions. In addition to the patient lawsuits, the company reported today that the SEC is doing a formal inquiry into Guidant's product disclosures and the trading of its shares. Guidant has also filed a lawsuit of their own, seeking to compel Johnson & Johnson to conclude a merger agreement previously entered into by both of those two parties.

According to attorney, Bucky Zimmerman, senior partner of Zimmerman Reed, "One of the fundamental purposes of this litigation is to find out why these devices failed so that doctors can give their patients good advice on whether to have them replaced. This litigation needs to move quickly so patients' needs can be addressed. Despite its promises, Guidant has not been forthcoming with the information necessary for the best treatment of the people who matter--the patients." Zimmerman Reed is a Minneapolis-based class action law firm and represents four of the ten patients who filed lawsuits pending in Minnesota.

The Federal Court in Minnesota has been home to several other significant pharmaceutical and medical devices lawsuits, including Bayer's cholesterol drug Baycol, and St. Jude Medical's Silzone heart valves.

To view a copy of the Order or to learn more about the Guidant devices and recalls, please visit www.zimmreed.com.