

## Seeger Salvas LLP Filed A Lawsuit Against Medtronic, Inc. Related To Recall Of 87,000 Marquis Brand ICDs

For Immediate Release

SAN FRANCISCO/EWORLDWIRE/May 23, 2005 --- Today, Seeger Salvas LLP filed a lawsuit against Medtronic, Inc. (NYSE: MDT) on behalf of a 52-year old California man. The lawsuit involves Medtronic's recall of over 87,000 implantable cardioverter defibrillators ("ICDs"). An ICD is a surgically-implanted device that sends electrical shocks to the heart to stop cardiac arrhythmias. The device usually costs about \$25,000.

On February 11, 2005, Medtronic notified doctors about a defect in over 80,000 ICDs, including the one implanted in Plaintiff's chest. According to Medtronic, the ICDs could suffer from rapid battery depletion due a shorting action. Medtronic warned that "if a short occurs, battery depletion can take place within a few hours to a few days, after which there is loss of device function." And according to Medtronic, "There is no provocative testing that predicts which of these devices will experience this issue."

The lawsuit alleges that Medtronic actively concealed the battery defect, seeking to maximize corporate profits at the expense of the health of thousands of patients. "Our investigation has revealed some disturbing evidence," said Ken Seeger, a partner with Seeger Salvas LLP. According to the Complaint, "by December 2003 - two months before it sold Plaintiff the defective ICD - Medtronic had: (1) identified the defect that causes the shorting mechanism, and (2) implemented an alternative design or manufacturing process that corrected the defect."

Seeger said, "If Medtronic had stopped selling the defective products in 2003 when it learned of the defect, Plaintiff and thousands of other patients would not require another surgery to remove and replace the recalled ICD."

Medtronic has told patients to have their insurance company pay for the replacement surgery and has offered to pay only \$2,500 of medical expenses that are not paid by insurance. "Medtronic is not taking responsibility for its actions." Seeger said, "Instead, Medtronic expects that a patient's medical insurance should pay to correct Medtronic's mistake."

The lawsuit was filed in the California Superior Court for Santa Clara County. A copy of the lawsuit can be obtained at [www.seegersalvas.com/medtronic.pdf](http://www.seegersalvas.com/medtronic.pdf)

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