

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Court File No. 07-cv-4034 JNE/JJK

Medmarc Casualty Insurance Company,

Plaintiff,

**AFFIDAVIT OF
JARVIS C. JONES**

v.

St. Jude Medical, Inc. et al.,

Defendants.

Jarvis C. Jones, being duly sworn, states as follows:

1. I am an attorney representing Medmarc Casualty Insurance Company (“Medmarc”) in this case. I submit this affidavit in support of Medmarc’s Motion For Summary Judgment against St. Jude Medical, Inc. et al. (“St. Jude”).

1. A true and correct copy of St. Jude’s Excess Commercial General Liability Declarations is attached as Exhibit 1.

2. A true and correct copy of George B. Flanigan August 21, 2008 Deposition Transcript is attached as Exhibit 2-A.

3. A true and correct copy of Eric S. Fain, M.D.’s July 10, 2008 Deposition Transcript is attached as Exhibit 2-B.

4. A true and correct copy of Ronald Rolnick’s July 11, 2008 Deposition Transcript is attached as Exhibit 2-C.

5. A true and correct copy of a Letter from Elizabeth Porter to Nancy Mulligan dated July 27, 2006 is attached as Exhibit 3.

6. A true and correct copy of "Summary of Payments" Made by St. Jude is attached as Exhibit 4.

7. A true and correct copy of a Letter from Kevin Quinley to Elizabeth Porter dated September 17, 2007 is attached at Exhibit 5.

8. A true and correct copy of "Questions and Answers" Tempo and Meta 1256D Advisory is attached as Exhibit 6.

9. A true and correct copy of an Affidavit of Eric Steven Fain is attached as Exhibit 7.

10. A true and correct copy of an email from Kathy Mitrangas dated June 9, 2000 is attached as Exhibit 8.

11. A true and correct copy of an email from Greg Clarke dated October 19, 2000 is attached as Exhibit 9.

12. A true and correct copy of Respondents' Outline of Submissions is attached as Exhibit 10.

13. A true and correct copy of Meta 1256 Hazard Alert Explants Chart is attached as Exhibit 11.

14. A true and correct copy of Pacesetter "Returned Material Report/Summary" is attached as Exhibit 12.

15. A true and correct copy of "Incident Reporting Form CRS/Telectronic" is attached as Exhibit 13.

16. A true and correct copy of Pacesetter "Returned Material Report/Summary" is attached as Exhibit 14.

17. A true and correct copy of Courtney v. Medtel Pty Limited [2003] FCA 36 dated February 5, 2002 is attached as Exhibit 15.


18. A true and correct copy of Darcy Court Order dated December 3, 2004 is attached as Exhibit 16.

19. A true and correct copy of Courtney's Third-Amended Statement of Claim Filed February 26, 2001 is attached as Exhibit 17.


20. A true and correct copy of Florists' Mutual Ins v. Wagners Greenhouses Opinion dated August 31, 2007 is attached as Exhibit 18.

21. A true and correct copy of Hazard Alert Letter for St. Jude Pacemakers dated February by Eris S. Fain, M.D. is attached as Exhibit 19.

Date: 11-21-08


Jarvis C. Jones

Subscribed and sworn to before
me this 21st day of November, 2008.


Notary Public

