

NOTICE

Re: St. Jude Medical Silzone® Coated Mechanical Heart Valve and Silzone® Coated Annuloplasty Rings implanted in British Columbia or elsewhere ("Silzone® Products") prior to January 2000.

If you were a British Columbia resident on December 20, 2007 and were implanted in B.C. or elsewhere with a Silzone® Product, or if you are a family member, heir, or executor of the estate of a deceased person who was implanted in B.C. or elsewhere with a Silzone® Product and who was a B.C. resident at the time of death and died prior to December 20, 2007, you should read the following, as it affects your legal rights.

An application will be made to the British Columbia Supreme Court at 800 Smithe Street, Vancouver, B.C. V6Z 2E1, on March 19, 2008 to certify the action styled *Burnett v. St. Jude Medical, Inc. and St. Jude Medical Canada, Inc.* (Vancouver Registry Action No. S-014221), as a class proceeding under the *Class Proceedings Act* and to approve the Settlement Agreement reached between the Plaintiff and the Defendants.

Should the Court certify the action and approve the Settlement Agreement, subject to certain opt-out rights, this settlement will be binding on all class members resident in British Columbia who do not opt out of the proceeding.

This class action pertains to allegations that the Silzone® Products were defective and caused damage and loss.

The class action is sought to be certified on behalf of all persons resident in British Columbia on December 20, 2007, or date of death, whichever occurred first, who were implanted in British Columbia or elsewhere with a Silzone® Product. The common issue sought to be certified is whether the Defendants breached a duty of care to the B.C. Class with respect to the design of any of the Silzone® Products.

1. WHAT ARE THE TERMS OF THE SETTLEMENT?

The Settlement Agreement allows recovery by certain persons who were implanted with one or more of the Silzone® Products, who do not opt out of the proceedings, and who are in the following categories:

1. Each person who was a B.C. resident on December 20, 2007 and who was implanted with a Silzone® Product in B.C. or elsewhere ("Settlement Class Member") will receive a payment of \$500.00.
2. The estate of a Settlement Class Member who was a B.C. resident at the time of death, who died prior to December 20, 2007, will receive \$500.00 by way of a payment to one family member, heir or executor of the estate.
3. Each Settlement Class Member (but not a deceased Settlement Class Member who died prior to December 20, 2007) who developed a Minor Paravalvular Leak ("Minor PVL") meeting the qualifying criteria in the Settlement Agreement for Minor PVL will receive compensation according to a Point Based System on a *pro rata* basis, that is: a proportionate percentage of the points awarded to each Settlement Class Member as compared to the total points of all Settlement Class Members to the terms of the Settlement Agreement.
4. Each Settlement Class Member who developed a major paravalvular leak meeting the qualifying criteria in the Settlement Agreement for Major Paravalvular Leak ("Major PVL") and the estate of a Settlement Class Member who was a B.C. resident at the time of death, and died prior to December 20, 2007 and who met the qualifying criteria in the Settlement Agreement for Major PVL, will receive compensation according to a Point Based System on a *pro rata* basis. A Settlement Class Member who receives compensation for Major PVL is not eligible for compensation for Minor PVL.
5. Settlement Class Members, including deceased Settlement Class Members who were B.C. residents at the time of death and died prior to December 20, 2007, who suffered income loss as a result of developing Major or Minor PVL and meeting the income loss criteria in the Settlement Agreement for Major or Minor PVL will receive compensation on a *pro rata* basis from the Income Loss Fund as defined in the Settlement Agreement.

In order to receive the benefits described above, a Settlement Class Member will need to submit a completed Claim Form.

2. OBJECTIONS TO PROPOSED SETTLEMENT

At the settlement approval hearing, the Court will consider any objections to the proposed settlement but only if the objection is sent in written form. The objections to the settlement must be sent on or before March 5, 2008 to Poyner Baxter LLP at 408 - 145 Chadwick Court, North Vancouver, B.C. V7M 3K1.

If you wish to object, your written objection should include:

- (a) your name, address, telephone number, fax number, and e-mail address;
- (b) a brief statement of the nature of and reason for your objection; and
- (c) whether you intend to appear at a settlement approval hearing in person, or by counsel, and if by counsel, the name, address, telephone number, fax number, and e-mail address of your counsel.

Settlement Class Members who do not oppose the proposed settlement need not appear at the settlement approval hearing or take any other action at this time.

You may also obtain further information about the application and the settlement from:

Poyner Baxter LLP,
408 - 145 Chadwick Court, North Vancouver, B.C. V7M 3K1,
Telephone: 604-988-6321, Facsimile: 604-988-3632,
Email: info@poynerbaxter.com

or you may appear at the Court application on March 19, 2008.

Details regarding the settlement can be viewed at Poyner Baxter's website at the following address: <http://www.poynerbaxter.com>