

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CORDIS CORPORATION,)
)
 Plaintiff,)
)
 v.) Civ. No. 97-550-SLR
) (Consolidated)
 MEDTRONIC VASCULAR, INC.,)
 BOSTON SCIENTIFIC CORPORATION)
 and SCIMED LIFE SYSTEMS, INC.,)
)
 Defendants.)

BOSTON SCIENTIFIC CORPORATION)
 and SCIMED LIFE SYSTEMS, INC.,)
)
 Plaintiffs,)
)
 v.) Civ. No. 98-19-SLR
)
 ETHICON, INC., CORDIS CORPORATION)
 and JOHNSON & JOHNSON)
 INTERVENTIONAL SYSTEMS CO.,)
)
 Defendants.)

ORDER

At Wilmington this 30th day of September, 2008, having considered the parties' submissions regarding the form of order of judgment to be entered in the above cases, consistent with the court's September 15, 2008 order;

IT IS ORDERED that:

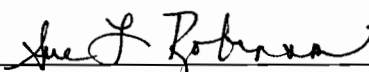
1. The motion for reargument filed by defendants Boston Scientific Corporation

and Boston Scientific Scimed, Inc. (formerly Scimed Life Systems, Inc.) (collectively “BSC”) (D.I. 1478) is denied.

2. BSC's submission regarding the form of judgment essentially comprise arguments for reconsideration (D.I. 1479); therefore, the court will enter Cordis' form of judgment as it relates to BSC.

3. It is apparent from the papers submitted that the appropriate method of calculating prejudgment interest based on after-tax damages is fraught with opportunities for mischief. Indeed, each party has employed a different analysis in computing this aspect of the damages award. Under the circumstances, the court has determined that its attempt to adjust for taxes was ill conceived and, therefore, will adopt Cordis' computation of prejudgment interest, which (according to Medtronic) is consistent with a pre-tax assessment.

IT IS FURTHER ORDERED that, once judgment has been entered, the above cases shall be closed.


United States District Judge