IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BOSTON SCIENTIFIC CORPORATION and, BOSTON SCIENTIFIC SCIMED, INC.,	)	
Plaintiffs,	)	
v.	)	C.A. No. 07-333-SLR
JOHNSON AND JOHNSON, INC. and CORDIS CORPORATION,	)	
Defendants.	)	
BOSTON SCIENTIFIC CORPORATION and, BOSTON SCIENTIFIC SCIMED, INC.,	)	
Plaintiffs,	)	
v.	)	C.A. No. 07-348-SLR
JOHNSON AND JOHNSON, INC. and CORDIS CORPORATION,	)	
Defendants.	)	

DEFENDANTS' MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION

Defendants in the captioned actions hereby respectfully move, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, to dismiss both complaints on the ground that this Court lacks jurisdiction over their subject matter. The basis for the requested relief is fully set forth in defendants' supporting opening memorandum, which is being served and filed contemporaneously herewith.

ASHBY & GEDDES

/s/ Steven J. Balick

Steven J. Balick (I.D. #2114)
John G. Day (I.D. #2403)
Lauren E. Maguire (I.D. #4261)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
302-654-1888

Attorneys for Defendants

Of Counsel:
David T. Pritikin
William H. Baumgartner, Jr.
Paul E. Veith
Russell E. Cass
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, IL 60603
Telephone: (312) 853-7000
Facsimile: (312) 853-7036

Dated: July 18, 2007
182342.1

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JOHNSON AND JOHNSON, INC. and CORDIS CORPORATION,	)	
Defendants.	)	

ORDER

This _____ day of _____, 2007, the Court having considered defendants' motion to dismiss for lack of subject matter jurisdiction in the above actions, and having concluded that good grounds exist for the requested relief; now therefore,

IT IS HEREBY ORDERED that defendants' motion is granted, and that both of the complaints in the above-captioned actions are dismissed without prejudice.

_____
United States District Judge