

IN THE STATE COURT OF HENRY COUNTY  
STATE OF GEORGIA

FILED IN OFFICE  
STATE COURT  
HENRY COUNTY, GA

AUG 09 2010

FOR  
MICHELLE B. GARDNER  
CLERK OF STATE COURT, HENRY COUNTY, GA

ERNEST R. CAMPAGNONE, individually :  
And as Administrator of THE ESTATE :  
OF GLORIA CAMPAGNONE, deceased, :

Plaintiff(s),

CIVIL ACTION NO. 09-SV-2846-JTH

vs.

KEVIN GOODLOW, M.D., HENRY :  
MEDICAL CENTER, INC., d/b/a Henry :  
Medical Center, JACQUELINE ZAMORE, :  
R.N., KRISTI T. HARDNETT, R.N., :  
MUSHARAF MOMIN, M.D. and :  
HOSPITAL PHYSICIAN SERVICES :  
SOUTHEAST, P.C., :

Defendant(s).

**ORDER GRANTING CONSENT MOTION FOR  
QUALIFIED PROTECTIVE ORDER**

WHEREAS, this matter comes before this Court on the Consent Motion for a Qualified Protective Order filed by Plaintiff and Defendants Goodlow, Henry County Medical Center, Zamore, and Hardnett (hereinafter the "Parties");

WHEREAS, this Court has considered the Consent Motion, and the law in Georgia as set forth in the recent case of Baker v. WellStar Health Systems, Inc., S10A0994 (Ga. Ct. App. June 1, 2010);

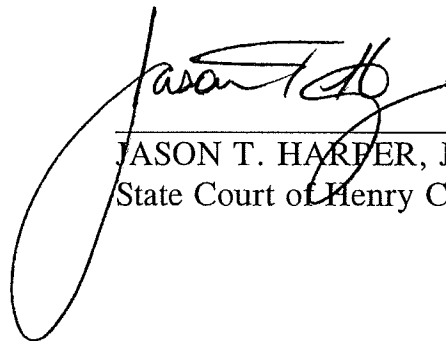
IT IS HEREBY ORDERED that Parties subject to the Consent Motion are permitted to engage in ex parte communications with treating physicians and other healthcare providers for Gloria Campagnone under the following conditions:

- (1) Defendants shall give the health care provider a copy of this Order prior to any interview;
- (2) The health care providers are not required to consent to the meeting and their decision to participate is on a voluntary basis;
- (3) The health care providers may condition such interview upon the presence of a personal attorney or Plaintiff's attorney;
- (4) Plaintiff's counsel is prohibited from attempting to prevent or thwart the interviews;
- (5) The health care provider may discuss, provide records, provide information, and render opinions, if any, related to the condition, treatment, diagnosis, prognosis, and medical causation, so long as such discussions are limited to the matters relevant to the medical conditions of Gloria Campagnone relevant to this litigation;
- (6) The health care information that has been disclosed may not be used for any purpose outside the context of this lawsuit and litigation;
- (7) The health care information that has been disclosed may be disclosed only to Defendants' counsel and their employees and agents for litigation purposes only;
- (8) Any health care information that has been disclosed in a tangible format must be returned to the health care provider that generated it or destroyed (including all copies made) at the conclusion of the litigation;

- (9) Defendants' counsel is not required to produce any notes they generate from the interviews, as those notes are considered work product; and
- (10) If any health care providers provide medical records to Defendants that have not been previously provided to all parties, Defendants shall provide Plaintiffs with copies of the records received.

Nothing in this Order shall be deemed to relieve any party or attorney of the requirements of the Georgia Civil Practice Act.

SO ORDERED this 9<sup>th</sup> day of August, 2010.



JASON T. HARPER, JUDGE  
State Court of Henry County