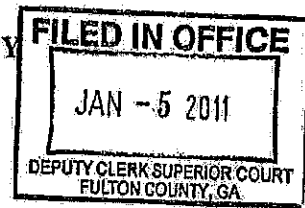


IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA



ANGELO LAMPASONA
and ESTER LAMPASONA

Plaintiffs,

vs.

VERNON J. HENDERSON, M.D.,
JAMES COMBS, M.D., and
TENET HEALTHSYSTEM GB, INC.
d/b/a ATLANTA MEDICAL CENTER,
ATLANTA SURGERY & TRAUMA, PC,
and JOHN DOE (I-4),

Defendants.

CIVIL ACTION FILE
NO. 2010CV190166

ORDER

WHEREAS this matter comes before this Court on Defendants Tenet Healthsystem GB, Inc. d/b/a Atlanta Medical Center, James Combs, M.D., Vernon J. Henderson, M.D., Atlanta Surgery & Trauma, P.C.'s Motion For Qualified Protective Order;

WHEREAS this Court has considered Defendants' motion, all responsive pleadings, and all matters of record;

IT IS HEREBY ORDERED AND ADJUDGED that Defendants and Defendants' counsel are hereby permitted to engage in *ex parte* communications with Plaintiff Angelo Lampasona's treating physicians and other healthcare providers who have treated Plaintiff Angelo Lampasona for the medical condition(s) Plaintiff has placed in issue in this civil proceeding. The Plaintiffs' Complaint places the following medical conditions at issue in this case:

- (1) intra-abdominal abscess;
- (2) splenic abscess;
- (3) abdominal pain;
- (4) groin pain;
- (5) infections;
- (6) chronic pain syndrome;

- (7) impaired immunity;
- (8) malabsorption syndrome;
- (9) intestinal impairment;
- (10) disability;
- (11) mental pain; and
- (12) physical pain.

This Order permits Defendants and Defendants' counsel to engage in *ex parte* communications concerning any medical issues that are relevant to any past, present or future medical conditions at issue in this case. This Order further permit Defendants and Defendants' counsel to engage in *ex parte* communications with the following healthcare providers:

- (1) Emory University Hospital Midtown
- (2) North Georgia Medical Center
- (3) Fannin Regional Hospital
- (4) Piedmont Mountainside Medical Center
- (5) Murray Medical Center
- (6) Kathryn P. Neely, M.D. & Associates, PC
- (7) Precision Surgical Associates of Atlanta
- (8) Rebello Medical Center of Internal Medicine
- (9) Ira Martin Fine, M.D.
- (10) John Louis Tumminia, DMD
- (11) Blue Ridge Mountain Internal Medicine

- (12) Tumminia Internal Medicine
- (13) Piedmont Heart Institute
- (14) Peachtree Neurological Clinic, PC
- (15) Apple Medical Center
- (16) Christopher L. Atkins, M.D.
- (17) Maxcene Oreus, M.D.
- (18) Robert Bond, M.D.,
- (19) Robert Pereira, M.D.
- (20) James Stevens, M.D.
- (21) Thomas Wood, M.D.
- (22) John Becher, M.D.
- (23) Tim Humphries, M.D.
- (24) Kimberly Spencer, M.D.
- (25) Lloyd Greenwald, M.D.
- (26) Barry Jeffries, M.D.
- (27) Bruce Case, M.D.
- (28) Freda McCarter, M.D.
- (29) David Shaz, M.D.
- (30) Adam Klein, M.D.
- (31) James Gilbert, M.D.
- (32) Dr. Webb
- (33) Kenneth Leeper, M.D.,
- (34) Dr. Clemens


- (35) Dr. Cribbs
- (36) Pardeep Mittal, M.D.
- (37) William Small, M.D.
- (38) Joanne Biafore, M.D.
- (39) Eugene Berkowitz, M.D.
- (40) Stefan Tigges, M.D.
- (41) Arthur Stillman, M.D.
- (42) William Vazquez, M.D.
- (43) Mary Saltz, M.D.
- (44) Joshua Golub, M.D.
- (45) Devin Tighe, M.D.
- (46) Rajneesh Sehgal, M.D.
- (47) Sepehr Panah, M.D.

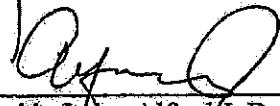
Prior to the time Defendants and Defendants' counsel can engage in *ex parte* communications, Plaintiffs must be sent notice that Defendants intend to seek information or documents from these healthcare providers through a non-party request for production of documents and allow Plaintiffs time to file objections as required by Georgia law. Plaintiff Angelo Lampasona's treating physicians and other healthcare providers' participation in *ex parte* communications with Defendants and Defendants' counsel is voluntary. Defendants and Defendants' counsel must identify who they represent prior to engaging in *ex parte* communications and state that the interview is for the purpose of assisting the Defendants in their investigation of this litigation.

Plaintiff Angelo Lampasona's treating physicians and other healthcare providers may discuss Plaintiff Angelo Lampasona's past medical conditions that are relevant to the medical condition(s) Plaintiffs have put at issue in this matter, with Defendants and Defendants' counsel.

IT IS FURTHER ORDERED that Defendants and Defendants' counsel are forbidden from using Plaintiff Angelo Lampasona's protected health information for any purpose other than this litigation.

IT IS FURTHER ORDERED that Defendants and Defendants' counsel shall return any protected health information to the physicians and other healthcare providers or destroy the protected information, including all copies made, at the end of the litigation.

SO ORDERED this 4 day of January, ~~2010~~ ^{2011.} 



The Honorable Judge Alford J. Dempsey, Jr.
Superior Court of Fulton County
State of Georgia