

(2) Defendant's counsel may conduct informal interviews with Plaintiff's healthcare providers for the purpose of ascertaining records, documentation, information, and opinions related to the condition, treatment, diagnosis, prognosis, and medical causation, based on the healthcare provider's medical records and personal involvement in the care and treatment of Emma Jean Gentles, only with respect to her abdomen; scar tissue; hernia development; hernia repair; infection; and rehabilitation from the period May of 2007 to the present, unless the condition, treatment, diagnosis, prognosis, or medical causation is unrelated to Plaintiff's claims in this case.

(3) The disclosed healthcare information may not be used for any non-litigation purpose and may be disclosed only to counsel and their employees and agents for litigation purposes in this case. If the healthcare provider chooses to disclose the protected health information, HIPAA requires that it must take reasonable steps to ensure that it discloses only the minimum necessary to accomplish the intended purpose of the disclosure. The disclosed healthcare information must be returned to the healthcare providers or destroyed (including all copies made) at the conclusion of this litigation.

(4) Within ten days of conducting any informal meetings or substantive telephone calls with any healthcare provider pursuant to this Order, counsel for Defendant shall inform counsel for Plaintiff in writing of the persons with whom they spoke and the date of the meeting. Counsel for Defendant is not required to produce any notes associated with the interviews, which constitute attorney work-product. However, should any medical provider produce documentation not

previously provided to both parties, copies of this documentation shall also be produced to counsel for Plaintiff within the aforementioned ten-day period.

(5) The healthcare providers may not disclose to counsel for Defendant any privileged information related to sexually transmitted disease, AIDS, HIV, behavioral or mental health services, psychiatric or psychological conditions or other matters deemed privileged or confidential pursuant to O.C.G.A. §§ 24-9-21, 31-22-9.1 or 43-39-16.

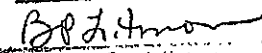
Nothing in this Order shall be deemed to relieve any party or attorney of the requirements of the Georgia Civil Practice Act.

SO ORDERED this 12 day of March, 2010.



JANIS C. GORDON, JUDGE
State Court of DeKalb County

cc: ✓ Jo A. Jagor, Esq.
✓ George S. Johnson, Esq.
✓ Daniel W. Cotter, Esq.

FILED IN THIS COURT
THIS 12 DAY OF March 2010

Clerk, State Court, DeKalb County