

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

CRYSTAL M. MOON,)
)
Plaintiff,)
v.)
)
GORDON B. WERBEL, M.D.,)
HISA YAMAGUCHI, M.D.,)
JEFFREY SOOTIN, M.D., and GENERAL)
SURGEONS OF GWINNETT, INC.,)
)
Defendants.)

CIVIL ACTION FILE NUMBER
2009CV178861

QUALIFIED PROTECTIVE ORDER

IT IS HEREBY ORDERED that counsel for Defendants in the above-styled matter may conduct informal interviews with **Plaintiff Crystal Moon's** health care providers without counsel for Plaintiff being present, under the following conditions:

- I. The health care providers are not required to conduct such meetings; their decision to participate is on a voluntary basis. Further, the health care providers may condition such interviews upon the presence of a personal attorney or Plaintiff's attorney. Defendants' counsel shall so advise any health care provider and give them a copy of this Order prior to any interview. Plaintiff's counsel is prohibited from attempting to prevent or thwart such interviews.

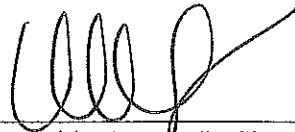
- II. The health care providers may provide records and information related to the condition, treatment, diagnosis, and prognosis of **Plaintiff Crystal Moon**. These providers may also express opinions regarding the care and treatment

rendered by other health care professionals to **Plaintiff Crystal Moon** to the extent such care and treatment is relevant to the allegations in Plaintiff's Complaint.

- III. The disclosed health 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. Further, the disclosed health information must be returned to the health care providers or destroyed (including all copies made) at the conclusion of the litigation.
- IV. Defense counsel are not required to produce any notes associated with their meetings with health care providers, as such notes constitute privileged attorney work product. However, should any health care provider produce any documentation not previously provided to both Plaintiff and Defendants, copies of this documentation shall be produced to Plaintiff.

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 2nd day of June, 2010.



Honorable Wendy L. Shoob
Judge, Superior Court of Fulton County

cc: Roger E. Harris, Esq.
Gretchen Holt Wagner, Esq.
Scott E. Gwartney, Esq.
George S. Johnson, Esq.