

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**CATAR CLINIC OF HOT SPRINGS,
LLC, C.A.T.A.R, LTD. & STOCKTON
MEDICAL GROUP, LTD.**

PLAINTIFFS

v.

CASE NO.: 4:17-CV-520-DPM

**THOMAS F. ROBINSON, M.D., TIFFANY
TERRY, ARKANSAS RECOVERY CLINIC,
ARC REHABILITATION CENTER, P.A.,
CSCB REHABILITATION MANAGEMENT
GROUP, LLC, ADDICTION RECOVERY
CARE OF LITTLE ROCK, ARC CLINIC,
& JILL COGBURN**

DEFENDANTS

PROTECTIVE ORDER

The parties have a need to access each other's patient information to conduct discovery. The Court and parties desire to protect patient information. The parties are also direct business competitors. Each party must designate all patient identities and patient information requested in discovery as "CONFIDENTIAL-ATTORNEYS EYES ONLY". The Court will address in a future order how this "CONFIDENTIAL-ATTORNEYS EYES ONLY" information is to be used in a hearing and trial. All counsel must prevent disclosure of information designated "CONFIDENTIAL-ATTORNEYS EYES ONLY", including to their clients. Parties shall give the other parties notice if they reasonably expect a deposition, hearing or other proceeding will include use of "CONFIDENTIAL-ATTORNEYS EYES ONLY" information so that the other parties can ensure that only authorized individuals, in this instance attorneys, are present at those proceedings or during use of this information. Any discussion of patient information and information designated "CONFIDENTIAL-ATTORNEYS EYES ONLY" in depositions shall be closed

except to the attorneys and all parties, except the deponent, must leave the room. Patient identities or information discussed in depositions shall be protected the same as documentary evidence marked as “CONFIDENTIAL-ATTORNEYS EYES ONLY” and counsel is under the same obligation to prevent disclosure of designated information to their clients and may not, under any circumstances, reveal patient information to their clients.

Counsel will jointly submit, under seal and a “CONFIDENTIAL-ATTORNEYS EYES ONLY” designation, within ten days of the entry of this order, a list of all patients that have moved from Plaintiffs’ care to Defendants’ care. No party shall contact any patients identified on the joint list pending further orders of this Court concerning the timing, frequency, and required disclosures of any contact unless the patient unilaterally presents to the party for medical care. Any disputes over particular patients shall be noted in a joint report, which will also be sealed and under “CONFIDENTIAL-ATTORNEYS EYES ONLY” designation. Counsel must prevent disclosure of this list to their clients. The Court will issue an order as necessary on this dispute.

IT IS SO ORDERED.

D.P. Marshall Jr. 10 October 2018
D.P. Marshall Jr.
United States District Judge