

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

STEVEN C. SCHUELLER, M.D.

PLAINTIFF

VS.

5:08CV00126-WRW

RICHARD L. GODDARD, IN HIS OFFICIAL CAPACITY AS
CEO DREW MEMORIAL HOSPITAL; JOE GRIFFITH,
IN HIS OFFICIAL CAPACITY AS A BOARD MEMBER OF
DREW MEMORIAL HOSPITAL; BOB KIZER IN HIS OFFICIAL
CAPACITY AS A BOARD MEMBER OF DREW MEMORIAL
HOSPITAL; DR. JOSEPH MILES, DDS IN HIS OFFICIAL
CAPACITY AS A BOARD MEMBER OF DREW MEMORIAL
HOSPITAL; GARY SHRUM IN HIS OFFICIAL CAPACITY AS
A BOARD MEMBER OF DREW MEMORIAL HOSPITAL;
VERNA SIMS IN HER OFFICIAL CAPACITY AS A BOARD
MEMBER OF DREW MEMORIAL HOSPITAL; MIKE WARD
IN HIS OFFICIAL CAPACITY AS A BOARD MEMBER OF
DREW MEMORIAL HOSPITAL; JOHN DOES #1 AND #2

DEFENDANTS

QUALIFIED PROTECTIVE ORDER

Defendants have designated as initial disclosures and/or responsive documentation information and records that may contain medical information on past and present Drew Memorial Hospital patients. Defendants have objected to producing any such records or information without a qualified protective order on grounds that the information and documentation sought is confidential, implicates the privacy rights of third parties, and contains federally protected health and/or medical information. The parties have agreed that the information and/or documentation can be produced only pursuant to a qualified protective order of the Court requiring defendants to produce the information and/or documentation and protecting the confidential and private nature of the information and/or documentation.

It is therefore ordered that defendants are to produce the above-referenced records and information; that the parties to this action may use or disclose the records and information

produced only for the specific purpose of this litigation and for no other purpose; that any records filed with the Court be redacted to the extent feasible to protect the privacy and identities of the past or present Drew Memorial patients, or that such records be filed under seal; that the contents of such documentation will not be disclosed to any other individuals or entities other than an expert witness retained by the plaintiff or by the defendants (if needed) during the course of and for the sole purpose of this litigation; that neither the plaintiff's attorneys nor defendants' attorneys, nor anyone acting on their behalf or the parties' behalf, shall in any way directly or indirectly transfer or communicate any of the information obtained to any person except for necessary and proper purposes directly related to this litigation; that any person with whom a necessary and proper communication is made shall be bound by the terms of this order; and that plaintiff's attorneys and defendants' attorneys shall provide a copy of this order to such persons in receipt of such necessary and proper communications. Furthermore, at the conclusion of this litigation, plaintiff's attorneys are to return to defendants the originals of the documentation produced and any copies made of those originals.

Dated this 24th day of April, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

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