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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

ADEL F. SAMAAAN, M.D.,

Plaintiff,

vs.

CONNECTICUT GENERAL LIFE  
INSURANCE COMPANY; CIGNA  
HEALTH AND LIFE INSURANCE  
COMPANY; and DOES 1 through  
100,

Defendants.

Case No. 2:17-cv-01723 DSF (AGR<sub>x</sub>)

**QUALIFIED HIPAA PROTECTIVE  
ORDER**

1           1.     In accordance with, and as defined by, the regulations promulgated  
2 under the Health Insurance Portability and Accountability Act, specifically 45  
3 C.F.R. part 164.512(e)(1)(ii) and (v), the Court hereby enters a HIPAA Qualified  
4 Protective Order (QPO).

5           2.     Pursuant to this QPO, all parties to this lawsuit are:

6           a)     prohibited from using or disclosing any protected health  
7 information (PHI) produced or disclosed by a party in this case, for any purpose  
8 other than preparing for and conducting litigation of the above-styled lawsuit,  
9 including but not limited to investigation, consultation, discovery, depositions,  
10 trial preparation, trial, appeal, resolution, mediation, or uses incidental to the  
11 proceedings in the case; and

12           b)     required to destroy all copies of the PHI (including permanent  
13 deletion of electronically-stored copies of the PHI), or to return them to the  
14 disclosing entity at the conclusion of the above-styled lawsuit.

15           3.     For purposes of this QPO, “conclusion” is understood to include the  
16 time for any records retention requirement and statute of limitations applicable to  
17 a party or a party’s counsel. “Litigation” is understood to include all appellate  
18 proceedings or the expiration of time to commence such appellate proceedings  
19 without appeal.

20           4.     Pursuant to 45 C.F.R. part 164.512(e)(1)(i) and for purposes of  
21 HIPAA compliance, without waiver of any objection or privilege, the parties and  
22 their witnesses are expressly and specifically authorized to use or to disclose to  
23 the attorneys, agents, employees, experts, consultants, any witness or other person  
24 retained or called by the parties, treating physicians, other healthcare providers,  
25 and designees of each party or each party’s legal counsel in this case PHI  
26 pertaining to the three (3) medical service claims referenced in the complaint.

1           5.     The authorizations and orders set forth herein expressly include PHI  
2 concerning psychological, behavioral, and mental health treatment, disability  
3 status and developmental disabilities treatment, substance abuse and treatment  
4 history, genetic testing, and HIV/AIDS status and treatment, as well as records  
5 concerning other sexually transmitted diseases if so requested.

6           6.     Pursuant to 45 C.F.R. section 164.512(e)(1)(i) and for purposes of  
7 HIPAA compliance, without waiver of any objection or privilege, any person or  
8 entity authorized or ordered above to use or disclose PHI with, to, or before any  
9 court reporter service, videographer service, translation service, photocopy  
10 service, document management service, records management service, graphics  
11 service, or other such litigation service, designated by a party or a party's legal  
12 counsel in this case. The protections and requirements of paragraph 2 of the QPO  
13 apply to such service providers. Each party or the party's legal counsel is charged  
14 with obtaining advance consent of such service to comply with this paragraph.  
15 Upon such consent, the service provider will be deemed to have voluntarily  
16 submitted to this Court's jurisdiction during the pendency of the above-styled  
17 matter for purposes of enforcement of this order.

18           7.     Unless a motion for enforcement of the QPD has been filed in this  
19 case and remains pending at the time, the QPD shall expire upon the conclusion  
20 of the litigation as defined in paragraph 3.

21           8.     This QPD self-executing and effective upon entry.

22           9.     A copy of this QPD shall be valid as an original.

23           **IT IS SO ORDERED.**

24  
25 DATED: May 18, 2017



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Hon. Alicia G. Rosenberg  
United States Magistrate Judge

1 Submitted by:  
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