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(SPACE BELOW FOR FILING STAMP ONLY)

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 7 MADERA COMMUNITY HOSPITAL

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

11 DONDI VAN HORN,

Case No. 08 CV-01622-LJO-DLB

12 Plaintiff,

**ORDER GRANTING DEFENDANT
 MADERA COMMUNITY HOSPITAL'S
 MOTION TO FILE DOCUMENTS UNDER
 SEAL IN CONNECTION WITH ITS
 MOTION FOR SUMMARY JUDGMENT,
 OR ALTERNATIVELY, SUMMARY
 ADJUDICATION**

13 v.

14 TINA HORNBEAK individually and as
 Warden of Valley State Prison For
 15 Women; JAMES E. TILTON individually
 and as Secretary of the California
 16 Department of Corrections and
 Rehabilitation; ROBIN DEZEMBER
 17 individually and as Chief Deputy Secretary
 of California Department of Corrections
 and Rehabilitation; ROBERT SILLEN
 18 individually and as former California
 Health System Receiver; CLARK
 19 KELSON individually and as acting
 California Health System Receiver; DR.
 20 VIRK (First Name Unknown) individually
 and as Chief Medical Officer of Valley
 21 State Prison for Women; JAMES
 22 HEINRICH individually and as a physician
 employed at Valley State Prison for
 23 Women; MADERA COMMUNITY
 HOSPITAL; TINA DHILLON an
 24 individual; and NAEEM SIDDIQI an
 individual,

Hearing Date: January 26, 2010
 Hearing Time: 8:30 a.m.
 Courtroom: 4
 Judge: Honorable Lawrence J. O'Neill

Action Filed: 10/10/08
 Trial Date: 06/28/10

FILED UNDER SEAL

25 Defendants.

1 This matter having come before the Court upon the Motion of Defendant, MADERA
2 COMMUNITY HOSPITAL (“MCH”), to File Documents under Seal and GOOD CAUSE
3 appearing; **IT IS HEREBY ORDERED** that the following documents submitted by MCH in
4 support of its Motion for Summary Judgment/Adjudication shall be filed under seal:

5 1. Declaration of Daniel L. Wainwright filed in support of MCH’s Motion
6 for Summary Judgment/Adjudication, and the following exhibits therein (Exhibits
“A” through “V”):

7 a. Plaintiff’s December 18, 2009 Fourth Amended Complaint for
8 Deliberate Indifference to a Serious Medical Need pursuant to 42 U.S.C.
§1983, Medical Malpractice, and Wrongful Death, which is the operative
9 pleading in this case (Exhibit “A”);

10 b. The relevant portions of the October 1, 2009 Deposition of Teresa
Hansen, RN (129:13-15) (Exhibit “B”);

11 c. The August 1, 2007 Prenatal Flow Record and Health History
12 Summary of Plaintiff (AGO-MED #0079-81) (Exhibit “C”);

13 d. The relevant portions of the October 1, 2009 Deposition of Dr.
14 SIDDIQI (71:2-23, 72:5-21, 83:2-84:10, 89:11-15, 91:16-18, 106:2-6,
115:1-3) (Exhibit “D”);

15 e. The August 4, 2007 MCH OB Exam Record of Plaintiff (MCH
#0036) (Exhibit “E”);

16 f. The relevant portions of the September 11, 2009 Deposition of
17 VAN HORN (76:16-25, 77:1-4, 107:25, 108:1-7, 119:12-25, 151:10-17,
261-264, 267:14-21, 270:8-14) (Exhibit “F”);

18 g. VAN HORN’s responses to MCH’s Request for Admissions, Set
19 One, Nos. 1-2 (Exhibit “G”);

20 h. The “Conditions of Admission” to MCH, which Plaintiff signed
during her visit to MCH on August 4, 2007 (MCH #0176) (Exhibit “H”);

21 i. The relevant portions of the November 6, 2009 Deposition of Dr.
22 DHILLON (48:20-23, 49:1-15, 55:20-58:8, 91:10-12, 99:10-17, 101:22-
25, 102:16-25, 105:12-106:22, 106:6-8, 106:12-22, 109:19, 116:6-25,
23 118:17, 120:6-8, 124:15-16, 128:17-129:25, 134:17-18, 140:14-141:2,
141:20-143:17, 198:15-25) (Exhibit “I”);

24 j. The relevant portions of the November 13, 2009 Deposition of
25 Nurse Hodge (39:1-24, 51:15-20, 87:23-88:1, 89:21-90:5, 108:17-22)
(Exhibit “J”);

26 k. The August 20, 2007 MCH OB Exam Record of Plaintiff (MCH
27 #0035) (Exhibit “K”);

28 l. The August 21, 2007 MCH OB Exam Record of Plaintiff (MCH
#0163) (Exhibit “L”);

- 1 m. The August 26, 2007 MCH OB Exam Record of Plaintiff (MCH
2 #0083) (Exhibit “M”);
- 3 n. The August 26, 2007 MCH History and Physical Report of
4 Plaintiff (MCH #0037-0038) (Exhibit “N”);
- 5 o. The August 26, 2007 MCH Delivery Record of Plaintiff (MCH
6 #0084) (Exhibit “O”);
- 7 p. The relevant portions of the October 29, 2009 Deposition of Daun
8 Martin (63:5-15) (Exhibit “P”);
- 9 q. The relevant portions of the November 1, 2009 Deposition of Dr.
10 HEINRICH (41:9-24, 47:8-17, 98:7-12, 136:24-137:9, 140:3-25) (Exhibit
11 “Q”);
- 12 r. The relevant portions of the July 27, 2009 Deposition of Donna
13 Aldrich (26:9-20, 27:6-12, 29:5-15) (Exhibit “R”);
- 14 s. The MCH GBS Prevention Policy, operative during the entire
15 month of August, 2007 (MCH #00681) (Exhibit “S”);
- 16 t. VAN HORN’s responses to MCH’s Request for Admissions, Set
17 Two, Nos. 37-38, 48 (Exhibit “T”);
- 18 u. Attached hereto as Exhibit “U” to this Declaration is a true and
19 correct copy of VAN HORN’s responses to MCH’s March 5, 2009
20 Interrogatories, Set One; and,
- 21 v. Attached hereto as Exhibit “V” to this Declaration is a true and
22 correct copy of VAN HORN’s responses to MCH’s July 2, 2009
23 Interrogatories, Set Two;
- 24 2. Declaration of Heidi Funk, R.N. filed in support of MCH’s Motion for
25 Summary Judgment/Adjudication;
- 26 3. Declaration of Michael Nageotte, M.D. filed in support of MCH’s Motion
27 for Summary Judgment/Adjudication;
- 28 4. Declaration of Arthur Reingold, M.D. filed in support of MCH’s Motion
for Summary Judgment/Adjudication;
5. Declaration of John Frye filed in support of MCH’s Motion for Summary
Judgment/Adjudication and the exhibit attached therein (Exhibit “A”);
6. MCH’s Notice of Motion and Motion for Summary
Judgment/Adjudication;
7. Memorandum of Points and Authorities filed in support of MCH’s Motion
for Summary Judgment/Adjudication;
8. MCH’s Statement of Undisputed Material Facts filed in support of its
Motion for Summary Judgment/Adjudication;
9. MCH’s Notice of Motion and Motion to File Documents Under Seal in

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connection with its Motion for Summary Judgment/Adjudication;

10. Declaration of Daniel L. Wainwright filed in support of MCH’s Motion to File Documents Under Seal in connection with its Motion for Summary Judgment/Adjudication;

11. Memorandum of Points and Authorities filed in support of MCH’s Motion to File Documents Under Seal in connection with its Motion for Summary Judgment/Adjudication; and

12. [Proposed] Order Granting MCH’s Motion to File Documents Under Seal in connection with its Motion for Summary Judgment/Adjudication.

It is further ORDERED that any members of the public, who desire access to the records sealed in connection with this Order, may bring an application to challenge the Order.

Dated: December 29, 2009

/s/ Lawrence J. O’Neill
The Honorable Lawrence J. O’Neill
United States District Court Judge, Eastern
District of California

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