

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case No. 15-23270-CIV-MORENO/O'SULLIVAN

MARIA ANDREU,  
Plaintiff,

v.

HEWLETT-PACKARD COMPANY,  
Defendant.

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**ORDER**

THIS MATTER is before the Court on the Plaintiff's Motion to Quash Subpoenas and/or for the Entry of a Protective Order (DE # 33, 1/27/16). Having held a hearing in this matter and for the reasons stated on the record, it is

ORDERED AND ADJUDGED that the Plaintiff's Motion to Quash Subpoenas and/or for the Entry of a Protective Order (DE # 33, 1/27/16) is GRANTED in part and DENIED in part in accordance with this Order and the rulings from the bench. It is further

ORDERED AND ADJUDGED that the subject subpoenaed entities are to provide the subject responsive documents to counsel for the plaintiff on or before February 25, 2016. Counsel for the plaintiff shall review the documents upon receipt to determine if the plaintiff wishes to assert any privileges, over any of the subject documents, that have not been waived in this matter. It is further

ORDERED AND ADJUDGED that on or before February 29, 2016, the plaintiff shall provide, to the defendant, the documents the plaintiff received in response to the subject subpoenas in whole, or, in the alternative, if the plaintiff asserts any non-waived privileges over the subject documents, the plaintiff shall provide the defendant with redacted documents together with a privilege log for the documents over which the plaintiff asserts any privileges. It is further

ORDERED AND ADJUDGED that absent further Order of this Court, the medical records produced in this matter shall be filed under seal in this matter. It is further

ORDERED AND ADJUDGED that all documents designated confidential in this matter shall be filed under seal in this matter. It is further

ORDERED AND ADJUDGED that the medical documents produced in this matter are subject to 45 C.F.R. § 164.512(e)(1)(v)(A) and 45 C.F.R. § 164.512(e)(1)(v)(B) which:

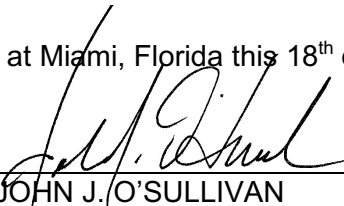
(A) Prohibits the parties from using or disclosing the protected health information for any purposes other than the litigation or proceeding for which such information was requested; and

(B) Requires the return to the covered entity or destruction of the protected health information (including all copies made) at the end of the litigation or proceeding.

45 C.F.R. § 164.512(e)(1)(v). It is further

ORDERED AND ADJUDGED that the corporate representative of the defendant is not required to travel to the Southern District of Florida to sit for deposition, the representative shall present himself/herself for deposition, and the deposition may be conducted in a location other than the Southern District of Florida.

DONE AND ORDERED in Chambers at Miami, Florida this 18<sup>th</sup> day of February, 2016.

  
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JOHN J. O'SULLIVAN  
UNITED STATES MAGISTRATE JUDGE

Copies to:  
United States District Court Judge Moreno  
All counsel of record