

discovery, depositions, trial preparation, trial, or appeal, and shall not be disclosed or revealed to anyone not authorized by this Protective Order.

4. Protected health information may be disclosed by any covered entity, health care provider, insurer, party, party's retained expert, or party's attorney without further notice to the following:

- a. Parties to the litigation and counsel for the respective parties to this litigation and their employees who are assisting in the prosecution or defense of this litigation;
- b. Experts and consultants and their employees and clerical assistants who are employed, retained or otherwise consulted by counsel of the parties to assist in the preparation and trial of this litigation;
- c. Treating physicians;
- d. Other health care providers;
- e. Liability insurers of any of the parties involved in the litigation;
- f. Health oversight activity proceedings as permitted under 45 CFR §164.52; and
- g. Copying services for the purposes of copying records subject to this Order.

5. The parties and each entity governed by this Order shall destroy or return to the entity who originally produced it, all protected health information including all copies made, provided, however, said protected health information may be retained in the files of the law firms handling this litigation and may be destroyed pursuant to their regular file retention policies so long as the protected health information is maintained in a secure environment.

6. This Protective Order shall survive the final conclusion of this litigation and shall continue in full force and effect, and the Court shall retain jurisdiction to enforce this Protective Order.

7. This Order does not change or affect notice and other procedural requirements of the Federal Rules of Civil Procedure. The Defendants may contact a covered entity for the sole purposes of obtaining copies of records previously subpoenaed or requested by authorization, or to schedule depositions. Likewise, nothing in this order relieves any party from complying with the requirements of the Illinois Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110/1, et seq), the Aids Confidentiality Act (410 ILCS 305/1, et seq), or state and federal law that protects certain drug and alcohol records (20 ILCS 301/30-5, 42 USC §290dd-3 and 290ee-3, and 42 CFR Part 2).

ENTERED: November 22, 2016

s/ Jonathan E. Hawley
JUDGE

AGREED TO:

/s/Warren E. Danz
Warren E. Danz
Attorneys for Plaintiff

/s/ L. Lee Smith
L. Lee Smith
Attorneys for Defendants