

FILED

JUN 07 2017

Clerk, U.S. District Court
District Of Montana
Helena

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

UNITED STATES OF AMERICA EX
REL. FRANK M. REMBERT AND
MICHAEL R. PARADISE,

Relators,

vs.

BOZEMAN HEALTH DEACONESS
HOSPITAL D/B/A BOZEMAN
HEALTH, and
DEACONESS-INTERCITY
IMAGING, LLC D/B/A ADVANCED
MEDICAL IMAGING,

Defendants.

No. CV 15-80-BU-SEH

ORDER

By stipulation between Relators Frank M. Rembert and Michael R. Paradise and non-party Intercity Radiology, P.C. ("ICR"),

ORDERED:

1. ICR will produce the five documents identified in Relators' Motion for Determination of Privilege Claim¹ to all parties in this case.

¹ Doc. 18.

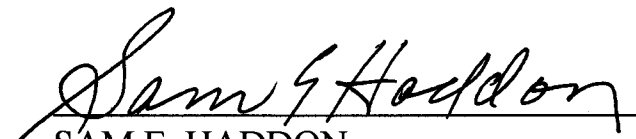
2. ICR may not object, on privilege grounds, to any party asking witnesses questions related to these five documents or the creation of the Deaconess-InterCity Imaging joint venture that is the subject of this case.

3. By stipulating to the use of these documents, ICR does not waive its attorney-client or work product privileges as to any other documents, and the stipulated use of these documents is not and should not be construed as a general or specific waiver of the attorney-client or work product privileges.

4. Relators' agreement does not waive their right to seek a determination as to privilege or waiver pertaining to any other documents on the same subject matter (the creation of the Deaconess-InterCity Imaging joint venture that is the subject of this case) at a later date and as may be necessary.

5. Relators' Motion for Determination of Privilege Claim² is deemed WITHDRAWN.

DATED this 7th day of June, 2017.


SAM E. HADDON
United States District Judge

² Doc. 18.