

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cv-00584-FDW-DSC

LEGACY DATA ACCESS, LLC,)
)
 Plaintiff,)
)
 vs.)
)
 MEDIQUANT, INC.,)
)
 Defendant.)
)
 _____)

AMENDED ORDER

THIS MATTER is before the Court following a hearing on May 24, 2017. Counsel for Plaintiff, Defendant, and non-party William J. Rowland were present during the hearing. For the reasons explained in open court, the Court hereby AMENDS its March 14, 2017, Order (Doc. No. 79) to include the following protocol:

1. Plaintiff's expert shall take possession of a copy of the forensic image of Rowland's computer;
2. Neither Plaintiff, nor its counsel, may inspect or otherwise handle the image;
3. Plaintiff's expert shall produce a proposed expert report and disclose this report *only* to Rowland's counsel;
4. Rowland's counsel will then have five (5) business days to lodge any objections to the report concerning private or privileged information. Rowland's counsel shall first communicate his objections in writing to Plaintiff's counsel;
5. If the parties cannot resolve the dispute on their own, Plaintiff may file a motion to compel the production of the expert's report. If there is no dispute, or if the parties

reach an agreement, Rowland's counsel shall promptly disclose the expert's report to Plaintiff.

6. Rowland's counsel shall not disclose the expert report to anyone else until the Court rules on the objections, but in the event any of Defendant's information is discovered during the search, such information shall be shared with Defendant's counsel so he can determine if any action should be taken to protect such information.


Rowland has consented to releasing a copy of the image of his computer to Plaintiff's expert by 5:00 p.m. on May 25, 2017, and has consented to the protocol set forth herein. By complying with this Amended Order, Rowland is in compliance with the May 22, 2017, Order in Legacy Data Access, LLC v. MediQuant, Inc., No. 3:17-mc-00069-FDW-DSC, Doc. No. 24.

Plaintiff's expert has until June 8, 2017, to provide his expert report to Rowland's counsel.

IT IS, THEREFORE, ORDERED that this Court's March 14, 2017, Order (Doc. No. 79) is amended as set forth above.

IT IS SO ORDERED.

Signed: May 25, 2017



Frank D. Whitney
Chief United States District Judge

