

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:14-CV-00190-RLV-DSC**

BRENDA NORMAN BARRIER,)
)
Plaintiff,)
)
v.)
)
WATAUGA MEDICAL CENTER, INC.)
et. al.,)
)
Defendants.)

THIS MATTER is before the Court on “Defendants’ Motion to Compel” (document #11) and the parties’ associated briefs and exhibits.

Defendants seek an order compelling Plaintiff to respond to their First Set of Interrogatories and First Set of Requests for Production of Documents and to provide a HIPPA authorization in response to Document Request No. 20. Defendants ask the Court to overrule Plaintiff’s objections to making certain production, including those based upon attorney-client and attorney work product privileges.

For the reasons stated in Defendants’ briefs, the Court grants their Motion in part. For the reasons stated in Plaintiff’s response, the Court denies Defendants’ Motion as to the material where Plaintiff asserts a privilege, and orders Plaintiff to serve a privilege log. Plaintiff and her counsel are warned that the privilege log must comply with the Federal Rules of Civil Procedure, the Local Rules, and the Court’s Case Management and other Orders. After reviewing the privilege log, Defendants may renew their Motion to Compel as to any items they contend are not privileged.

IT IS HEREBY ORDERED that:

1. “Defendants’ Motion to Compel” (document #11) is **GRANTED IN PART** and **DENIED IN PART**. Within thirty days of this Order, Plaintiff shall serve complete verified responses to Defendants’ First Set of Interrogatories and First Set of Requests for Production of Documents, including an executed HIPPA authorization. To the extent that Plaintiff contends any otherwise responsive documents or information are privileged, she shall serve a privilege log along with her other responses.

2. The parties shall bear their own costs at this time.

3. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Richard L. Voorhees.

SO ORDERED.

Signed: October 15, 2015



David S. Cayer
United States Magistrate Judge

