

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
CIVIL ACTION NO. 4:11-CV-3431-DCN-TER**

JAMES LAMONT FRASIER,)
)
)
 Plaintiff,)
)
 v.)
)
 COUNTY OF CHARLESTON;)
 CHARLESTON COUNTY SHERIFF’S)
 OFFICE; J. AL CANNON, JR., in his)
 Official capacity as Sheriff of Charleston)
 County; CHARLESTON COUNTY)
 DETENTION CENTER; MITCH LUCAS,)
 in his official capacity as Administrator of)
 the Charleston County Detention Center;)
 CORIZON HEALTH, INC., f/k/a PRISON)
 HEALTH SERVICES, INC.; CAROLINA)
 CENTER FOR OCCUPATIONAL)
 HEALTH, LLC; and JOHN DOES 1-5,)
)
 Defendants.)
 _____)

ORDER

Whereas, Plaintiff’s counsel has subpoenaed certain records and information from the South Carolina Department of Health and Environmental Control (the Department); and

Whereas, the materials requested contain personally identifiable information of individuals not a party to this litigation, which the Department is required to keep confidential pursuant to state and federal laws; and

Whereas, the Department is not a party to this action and has requested that any records or information produced be deemed confidential under the Confidentiality Order dated April 27, 2012.

THEREFORE, IT IS ORDERED that

1. The South Carolina Department of Health and Environmental Control disclose such records and information pertaining to the Plaintiff and any person having tuberculosis who was an inmate at the Charleston County Detention Center at any time from December 1, 2008 through February 2, 2010, to the Plaintiff's Counsel; and
2. Any records or information produced by the Department in response to this Order shall be subject to the Confidentiality Order of Judge Thomas E. Rogers, III, dated April 27, 2012; and
3. Such records may be used solely for the purpose of this litigation, shall not be disclosed or used in any other proceeding, and shall not be disclosed to any party or person not bound by the Confidentiality Order, without further order from this court; and
4. Any documents produced under this order which are entered into evidence shall not contain the personally identifiable information of individuals not a party to this litigation; and
5. At the end of this litigation, all disclosed records and information, including any copies made, shall be returned to the custody of the Department of Health and Environmental Control.

IT IS SO ORDERED.

s/Thomas E. Rogers, III
United States Magistrate Judge

Florence, South Carolina
April 24, 2014