

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TRACIE M. TRUTH,

Plaintiff,

v.

ERIC ESKIOGLU, M.D.,

Defendant.

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**Case No. 3:10-cv-1165
Judge Trauger**

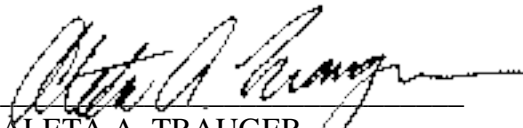
ORDER

For the reasons expressed in the accompanying Memorandum, the defendant’s Motion to Dismiss (Docket No. 5) and Motion to Dismiss First Amended Complaint (Docket No. 13) are **DENIED**. Leave for the plaintiff to file an amended complaint is **GRANTED**, and the First Amended Complaint (Docket No. 10) is now the plaintiff’s operative pleading.

The defendant is hereby **ORDERED** to obtain the plaintiff’s complete relevant medical records from Vanderbilt University Medical Center and to provide a copy to the plaintiff by March 18, 2011. The plaintiff shall file a certificate of good faith, verifying that Dr. David McCord has provided the plaintiff with a written statement confirming that there is a good-faith basis to maintain this action, by April 1, 2011.

It is so Ordered.

Entered this 17th day of February 2011.



Aleta A. TRAUGER
United States District Judge