

that the communications are being made for the purpose of obtaining legal advice. *Upjohn v. United States*, 449 U.S. 383, 394 (1981).

The attorney-client privilege is not the only protection that may be asserted by a party to litigation. For example, materials may be protected from discovery by the attorney work product doctrine, which “is distinct from and broader than the attorney-client privilege.” *In re Columbia/HCA Healthcare Corp. Billing Practices Litigation*, 293 F.3d 289, 294 (6th Cir. 2002) (quoting *In re Antitrust Grand Jury*, 805 F.2d 155, 163 (6th Cir. 1986)). Rather than only protecting confidential communications, the work product doctrine also shelters “any document prepared in anticipation of litigation by or for the attorney.” *Id.* at 304 (citation omitted).

Here, the Defendant claims that the submitted materials are protected under the attorney-client privilege and the work product doctrine. These materials relate confidential emails from Defendant’s general counsel to staff members of Shelby County Schools for purposes of transmitting or seeking legal advice. These materials, therefore, fall within the categories mentioned above and are privileged.

CONCLUSION

The Court SUSTAINS Defendant’s assertion of attorney-client privilege over the specific materials submitted to the Court under seal.

SO ORDERED, this 8th day of February, 2019.

s/Thomas L. Parker

THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE