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The Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

PATRICIA BLACKBURN, DAVID  
CARPENTER, JACOB DAU, DENNIS  
FANT, BONIFACIO FORNILLOS,  
AKANELE IMO, JOSE LOPEZ, RALPH  
PETERSON, and MATTHEW STALEY,

Plaintiffs,

v.

STATE OF WASHINGTON  
DEPARTMENT OF SOCIAL AND  
HEALTH SERVICES; WESTERN  
STATE HOSPITAL; DALE  
THOMPSON, individually and in his  
official capacity as COO of Western State  
Hospital; and DR. MARY LOUISE  
JONES, individually and in her official  
capacity as Director of the Center for  
Forensic Studies,

Defendants.

NO. CV11-5385RBL

ORDER GRANTING JOINT  
MOTION FOR PROTECTIVE  
ORDER REGARDING  
NONPARTY PATIENT  
RECORDS

THIS MATTER having come before the Honorable Ronald B. Leighton, upon the Joint Motion for Protective Order Regarding Nonparty Patient Records, the Court finds that the parties have complied with the provisions of RCW 70.02.060 in the Uniform Health Care Information Act and 45 CFR § 164.512 by notifying patient M.P. of the request and giving him an opportunity to seek a protective order to prohibit the release of this information, and that good cause exists for the production of these document and records, it is hereby

1 ORDERED that documents responsive to the parties' joint motion shall be produced by  
2 Western State Hospital subject to this Protective Order in accordance with RCW 71.05.390(19)  
3 to safeguard the confidentiality of the requested materials and information; it is further

4 ORDERED that documents responsive to the parties' joint motion shall be produced  
5 subject to the parties' stipulated Protective Order Regarding Confidentiality and Filing,  
6 approved of concurrently with this order; it is further

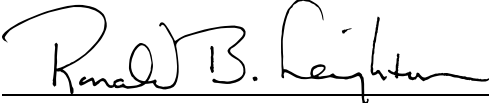
7 ORDERED that responsive documents shall be used consistent with the restrictions in  
8 RCW 71.05.390(19), and solely for the purposes of litigation in this case unless M.P. or his  
9 legal guardian, if applicable, authorizes its use for any other particular purpose; it is further

10 ORDERED that responsive documents used for the purposes of litigation in this case  
11 shall be redacted in accordance with the General Order of the Court regarding Public Access to  
12 Electronic Case Files and the patient's name redacted to reflect only his initials and the names  
13 of other patients found in M.P.'s records shall be redacted in whole; it is further

14 ORDERED that responsive documents shall be returned to defendant Western State  
15 Hospital or destruction of the protected health information, including all copies made, at the  
16 end of the litigation; and it is further

17 ORDERED that nothing contained in this Protective Order shall affect the right of any  
18 party, counsel or witness to make any other type of objection or claim, nor will this Protective  
19 Order prevent a party or counsel from applying to the Court for relief therefrom, or from  
20 applying to the Court for an additional protective order, or for modification of this Order.

21 DATED this 13<sup>th</sup> day of June, 2012.  
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25 Ronald B. Leighton  
26 United States District Judge

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Presented By:

ROBERT M. MCKENNA  
Attorney General

MacDONALD HOAGUE & BAYLESS

By: /s/ Joseph M. Diaz  
Joseph M. Diaz, WSBA # 16170  
Assistant Attorney General  
josephd@atg.wa.gov  
Attorneys for Defendants

By: /s/ Joseph R. Schaeffer  
Jesse Wing, WSBA #27751  
jessew@mhb.com  
Joseph R. Schaeffer, WSBA # 33273  
josephs@mhb.com  
Attorneys for Plaintiffs