

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS**

**MARK SAUNDERS, (deceased), and
THE ESTATE OF MARK SAUNDERS (deceased),
and PAMELA SAUNDERS AS HEIR OF
MARK SAUNDERS (deceased),**

Plaintiffs,

vs.

Case No. 04-4123-SAC

**THE BOARD OF COUNTY COMMISSIONERS
OF ELLSWORTH COUNTY, KANSAS, et al.**

Defendants.

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ORDER

This matter comes before the court upon defendants' motion for inspection and reproduction of medical records (Doc. 74). Defendants seek an order authorizing, directing, and ordering all hospitals, clinics, pharmacies, physicians, psychologists, psychiatrists, osteopaths, chiropractors, and all other medical institutions and practitioners to make available for examination and/or reproduction by the attorneys of record in this action the complete, unedited chart of plaintiff Pamela Saunders, including any and all records, reports, correspondence, evaluations, bills and statements, x-rays, and any other material or information concerning her care and treatment. Defendants further request that the order require that copies of the foregoing records be made at the expense of the party requesting production. The court has contacted counsel for plaintiffs in this matter, who indicate that plaintiffs have no objection to defendants' motion being granted.

The court finds that the medical records and information requested in this instance fall within the scope of matters properly discoverable in this case pursuant to Fed. R. Civ. P. 26(b) in that they appear “relevant to the subject matter involved in the action” and their discovery appears “reasonably calculated to lead to the discovery or admissible evidence.”¹ The court, therefore, finds there to be good cause to support the granting of defendants’ motion and the issuance of the order for production of medical records therein requested. Accordingly,

IT IS ORDERED that defendants’ motion for inspection and reproduction of medical records (Doc. 74) is hereby granted.

IT IS FURTHER ORDERED that all hospitals, clinics, pharmacies, physicians, psychologists, psychiatrists, osteopaths, chiropractors, and all other medical institutions and practitioners in possession of any records or information relating to the care and treatment of plaintiff Pamela Saunders, including but not limited to the complete, unedited, chart of plaintiff Pamela Saunders, reports, correspondence, evaluations, bills, statements, x-rays, and any other material or information, shall, upon request, make any such records or information available for examination and reproduction, at the requesting party’s expense, to any attorneys of record in this case.

¹ Fed. R. Civ. P. 26(b)(1).

IT IS SO ORDERED.

Dated this 13th day of June, 2005, at Topeka, Kansas.

s/K. Gary Sebelius
K. Gary Sebelius
United States Magistrate Judge