

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

HEARTLAND SURGICAL)	
SPECIALTY HOSPITAL, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-2164-MLB-DWB
)	
MIDWEST DIVISION, INC. d/b/a)	
HCA MIDWEST DIVISION, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

**ORDER FOR SUBMISSION OF
DOCUMENTS FOR IN CAMERA INSPECTION**

Presently before the Court is Aetna's Motion for Leave to File Under Seal (Doc. 781) directed to Aetna's Motion to Compel Production of BKD, LLP Documents Being Withheld by Plaintiff on Claims of Attorney-Client Privilege and Work Product Doctrine and to Resolve such Claims as they Relate to Testimony to be Taken from BKD. LLP, a memorandum supporting the motion and twenty-five (25) attached exhibits. The motion to compel, supporting memorandum and attached exhibits have all been served by email on the Court and counsel on June 4, 2007, pursuant to the provisions of the Court's Stipulation and Protective Order (Doc. 170). Under D. Kan. Rule 6.1(d)(1), any response to the motion to compel is due on or before June 18, 2007. The Court has already

directed that no replies will be allowed to these discovery motions. (Doc. 709 at 4.)

Before ruling on the motion to seal and on the underlying motion to compel filed by Aetna, the Court believes that an *in camera* inspection of the documents related to the motion to compel is necessary. Therefore, the Court hereby orders Plaintiff to forward copies of the sixty-two (62) pages of documents identified on the Privilege Log of Non-Party BKD, LLP dated 5/17/2007 and Revised Privilege Log of Non-Party BKD, LLP dated 6/4/2007 to the Court for *in camera* review. If the above documents are retained in an electronic format, Plaintiff may provide those documents as attachments to an e-mail directed to judge_bostwick@ksd.uscourts.gov. If they are retained in hard-copy format, a copy of the documents shall be sent directly to the magistrate judge's office: 403 U.S. Courthouse, 401 North Market, Wichita, Kansas 67202. These documents are to be submitted for *in camera* review on or before the **June 18, 2007** for the response to Aetna's motion to compel.

IT IS SO ORDERED.

Dated at Wichita, Kansas this 11th day of June, 2007.

s/ DONALD W. BOSTWICK
United States Magistrate Judge