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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JEANNA M. COLE

Plaintiff,

vs.

AMIR FRIEDMAN, M.D.,

Defendant.

Case No. 07-1378-JTM-DWB

**ORDER FOR INSPECTION AND REPRODUCTION OF MEDICAL
PSYCHOLOGICAL, COUSELING, EMPLOYMENT AND EDUCATIONAL RECORDS
AND PROTECTED HEALTH INFORMATION PURSUANT TO STATE AND
FEDERAL LAW (HIPAA) AND NOTIFICATION OF WAIVER OF PHYSICIAN-
PATIENT PRIVILEGE**

TO: All Hospitals, Clinics, Pharmacies, Physicians, Social Workers, Psychiatrists, Psychologists, Therapists, Governmental Agencies (State and Federal); All Other Medical Institutions, Practitioners, and Health Care Providers; Educational Institutions and All Employers, Past and Present.

You are hereby authorized, directed, and ordered pursuant to the laws of Kansas and applicable federal law, including but not limited to the Health Insurance Portability and Accountability Act (HIPAA), to make available for examination and reproduction by the parties and their counsel denominated in this lawsuit **any and all** medical, employment, educational and insurance records of any type or nature whatsoever and/or any protected health information

within your care, custody, or in any manner concerning:

Name:	Jeanna Cole
Date of Birth:	XX-XX-1977
Social Security No.:	XXX-XX-0072

Unless specifically excluded by this Order, all medical records and protected health information in your possession regarding the person noted above shall be produced: Provided however, that this Order does not provide for the production of any medical records maintained in connection with any program relating to substance abuse education, prevention, training, treatment, rehabilitation or research, which are conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, and which are covered by the provisions of 42 U.S.C. § 290dd-2 and 42 C.F.R. Part 2.

With respect to educational and employment records, such records include but are not limited to all materials contained in the employee's/student's personnel file cover to cover; wage, payment, salary and tax information; performance evaluations; job applications; workers' compensation records and any other records pertaining to injuries incurred by the employee; any and all work releases or restrictions; any protected health information in the employer's and/or educational institution's records.

You are further notified that the parties have agreed that counsel for either party is allowed to confer with any health care provider of Jeanna Cole without opposing counsel or opposing party being present provided the health care provider consents to the interview. This is based on the Court's finding that the plaintiffs have made a claim for personal injuries and in filing this lawsuit, have waived any privilege existing between the patient and the health care

providers.

Further, you are further notified that the parties have agreed that counsel for either party is allowed to confer any educational institution and/or present or former employer of Jeanna Cole for the reasons stated above.

Said inspection and reproduction may be requested by an attorney of record herein as set forth below, and all clerical fees and expenses shall be paid by the attorney requesting such examination, reproduction or interview.

This Order shall be effective throughout the pendency of this action.

DATED this 12th day of February, 2008.

s/ DONALD W. BOSTWICK
U.S. Magistrate Judge

APPROVED:

Daniel B. Giroux, #19375
PROCHASKA, GIROUX & HOWELL
7701 E. Kellogg, Suite 415
Wichita, KS 67207

By /s/Daniel Giroux (Original Signature On File)
Daniel B. Giroux
Attorney for Plaintiff Jeanna Cole

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By /s/David W. Steed
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