

HINKLE ELKOURI LAW FIRM L.L.C.

2000 Epic Center
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Wichita, Kansas 67202
(316) 267-2000

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

TERRI GREIG, AS SPECIAL
ADMINISTRATOR OF THE SUCCESSION
OF MICHAEL E. GREIG, DECEASED,
AND TERRI GREIG, INDIVIDUALLY AS
REPRESENTATIVE HEIR AT LAW OF
MICHAEL E. GREIG, DECEASED,

Plaintiff,

v.

MAGED S. BOTROS, M.D.,

Defendant.

Case No. 08-1181-MLB

**AGREED ORDER FOR INSPECTION AND REPRODUCTION OF MEDICAL
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, 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 and to the Kansas Medical Mutual Insurance Company (KaMMCO), **any and all** medical and employment records of any type or nature whatsoever and/or

any protected health information within your care, custody, or in any manner concerning **Michael E. Greig**, date of birth _____ and social security number _____.

Unless specifically excluded by this Order, all medical records and protected health information in your possession for the relevant time period 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 is 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. ~~regarding the person noted above shall be produced.~~

You are further notified that the parties have agreed that counsel for either party is allowed to confer with any health care provider of **Michael E. Greig** 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 plaintiff has made a claim for personal injuries and in filing this lawsuit, has waived any privilege existing between the patient and the health care providers.

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 complies with HIPAA federal standards for privacy of individually identifiable health information, 45 C.F.R. Parts 160 and 164. This Order further allows the disclosure of (1) information regarding diagnosis of, treatment for and general status relating to HIV and AIDS pursuant to K.S.A. 65-6001 *et seq.*

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


Dated this 15th day of September, 2008.

s/ Donald W. Bostwick

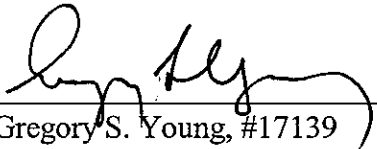
MAGISTRATE DONALD W. BOSTWICK

APPROVED BY:

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By 
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