

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

REBECCA LEWIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 10-1209-CM
	)	
AMERICAN FAMILY MUTUAL	)	
INSURANCE COMPANY,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the court on the joint proposed order for inspection and reproduction of medical, worker's compensation, and employment records. The proposed order authorizes and directs all hospitals, clinics, pharmacies, physicians, social workers, psychologists, psychiatrists, therapists, and all other medical institutions, practitioners, and health care providers; all governmental agencies; and all employers, past and present, to make available for examination and reproduction all documents concerning the plaintiff, Rebecca Lewis.

The entities from whom the documents are being sought are not parties in this action. Therefore, the court has no jurisdiction over them to order production of the requested records. However, Fed. R. Civ. P. 45 provides that a party may obtain documents from a non-party by service of subpoena for the production of documentary evidence. The records

may be obtained by issuance of a subpoena, pursuant to a notice to take depositions, under Fed. R. Civ. P. 30.

By agreeing to the proposed order, plaintiff apparently consents to the production of the requested documents. Therefore, should the plaintiff execute an authorization to be presented to the above-described entities, the records would likely be produced. This approach, it seems to the court, would be the most efficient.

In consideration of the foregoing,

IT IS HEREBY ORDERED that defendant should promptly provide plaintiff with authorizations for the requested documents for her execution.

Dated this 22nd day of September, 2010, at Kansas City, Kansas.

s/ James P. O'Hara  
James P. O'Hara  
U.S. Magistrate Judge