

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
AT KANSAS CITY, KANSAS**

FRANKIE T. LYDEN, individually,
And FRANKIE T. LYDEN, as Special
Administrator of the Estate of Michael
Lyden, Deceased on behalf of the Heirs of
MICHAEL LYDEN, deceased,

Plaintiffs,

-vs-

Case No. 15-9289-CM

HOGAN DEDICATED SERVICES, LLC,
A Missouri corporation; HOGAN TRANSPORTS
INC., a Missouri corporation; HOGAN TRUCK
LEASING, INC., dba HOGAN MOTOR
LEASING, INC., a Missouri corporation and
MICHAEL DANIELY, a Missouri resident,

Defendants.

**AGREED ORDER FOR INSPECTION AND REPRODUCTION
OF RECORDS, INCLUDING PROTECTED RECORDS GOVERNED
BY THE FAIR CREDIT REPORTING ACT 15 U.S.C. § 1681 et seq.**

TO: HireRight, LLC (f/k/a HireRight, Inc.) a consumer reporting agency governed by the Fair Credit Reporting Act., 15 U.S.C § 1681 et seq.

NOW on this 5th day of August, 2016, this matter comes before the Court on the application of the parties for an Order authorizing HireRight, LLC (f/k/a HireRight, Inc.) a consumer reporting agency governed by the Fair Credit Reporting Act., 15 U.S.C § 1681 et seq. to produce for inspection and reproduction any and all DAC records, documents, or other information within their custody and/or control pertaining to Defendant, **Michael John Daniely, Missouri License *****4006; DOB: */*/1956;** and Plaintiff **Michael Lyden, Kansas License *****5806; DOB: */*/1976.** Plaintiffs appear by and through their attorney Bradley A. Pistotnik of Brad Pistotnik Law, P.A. Defendants, appear by and through their attorney Darrell

Warta of Foulston Seifkin, LLP. There are no other appearances.

WHEREUPON, being adequately advised, the Court hereby finds and orders:

You are hereby authorized (but not required) pursuant to the laws of Kansas and applicable federal law, including but not limited to the Consumer Protection Provision of Fair Credit Reporting Act 15 U.S.C. § 1681 et seq., Health Insurance Portability and Accountability Act (HIPAA), to make available for inspection and reproduction by the parties, their counsel denominated in this lawsuit, any and all DAC records, documents, and other information of any type or nature whatsoever, including any and all protected consumer reporting documents, employment information, and other background verification information within your care, custody, or control, concerning Defendant, **MICHAEL DANIELY**, whose DOB is */*/1956; and Plaintiff, **MICHAEL EDWARD LYDEN**, whose DOB is */*/1976.

This Court finds the disclosure of the records, documents, and other information subject to this Order is necessary to this proceeding because the information regarding the Defendant and Plaintiff is an element or factor of the Plaintiffs' and Defendants' claims. Unless specifically excluded by this Order, all records, documents, or other information, including protected consumer reporting information, employment information and other background verification information, in your possession regarding the person(s) noted above may be produced for inspection and reproduction. Such production may be requested by any attorney of record herein as set forth below, and clerical fees and expenses as permitted shall be paid by the attorney requesting the same.

This Order complies with Fair Credit Reporting Act, **15 U.S.C. § 1681 et seq.**, HIPAA federal standards for privacy of individually identifiable health information, **45 C.F.R. Parts 160 and 164**, and with Kansas law regarding the disclosure of health care information.

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

IT IS SO ORDERED.

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

APPROVED BY:

s/ Bradley A. Pistotnik
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