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UNITED STATE DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARY CUMMINS,  
Plaintiff,

vs.

AMANDA LOLLAR aka BAT WORLD  
SANCTUARY an individual person, BAT  
WORLD SANCTUARY an unknown  
business entity, JOHN DOES 1-10,  
Defendants.

) Case No.: CV11 08081 DMG (MANx)

) **PROTECTIVE ORDER GOVERNING  
PRODUCTION AND USE OF  
PLAINTIFF’S MEDICAL RECORDS**

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On September 5, 2012, the Court heard plaintiff Mary Cummins’ Motion To Quash Defendants Amanda Lollar and Batworld Sanctuary’s Subpoena for Plaintiff’s Medical Records (“Plaintiff’s Motion”). The Court granted, in part, and denied, in part, Plaintiff’s Motion and directed defense counsel to prepare a proposed Protective Order and submit it to plaintiff for review. The proposed Protective Order was to be lodged with the Court and a courtesy copy of the proposed Protective Order was to be submitted to chambers by no later than 3:00 p.m. on Friday, September 7, 2012.

The Court has been notified that the parties have not been able to agree upon the language of the proposed Protective Order. Therefore, the Court enters the following

1 Protective Order, which reflects the protections it directed were to govern the disclosure  
2 and use of plaintiff's medical records in this action.

3 1. Within five business days of receipt of this Order, all plaintiff's medical  
4 records responsive to the subpoenas previously served upon Samuel A. Berkman, M.D.,  
5 Resa Lee Oshior, M.D. and The Pain Relief Center (collectively, the "Subpoenaed  
6 Locations"), shall be produced to defendants' counsel Dean A. Rocco and/or Sandra J.  
7 McMullan, of Jackson Lewis LLP ("Defendants' Counsel"), subject to the limitation that  
8 the scope of the subpoenas shall be from August 1, 2007, to the present ("Subject  
9 Medical Records").

10 2. Upon receipt of the Subject Medical Records, Defendants' Counsel shall  
11 mark them "Confidential – Attorney's Eyes Only."

12 3. The Subject Medical Records shall only be used by Defendants' Counsel  
13 during the course of the action and solely for purposes of defending the action.

14 4. The Subject Medical Records shall be disclosed only to: (1) the Court; (2)  
15 plaintiff and Defendants' Counsel (including the paralegal, clerical, and secretarial staff);  
16 (3) experts or consultants retained by the parties in this Action; (4) any other person to  
17 whom the parties agree in writing; and (5) court reporters and witnesses during any  
18 proceeding in the case in connection with which the Court has ordered or the parties have  
19 agreed the documents may be disclosed.

20 5. Prior to introducing the Subject Medical Records at or in connection with  
21 any Court proceeding, Defendants' Counsel shall notify plaintiff of its intentions to do so.  
22 If plaintiff objects to the introduction of the Subject Medical Records at the proceeding,  
23 Defendants' Counsel must obtain an order of the Court before introducing the Subject  
24 Medical Records at the proceeding.

25 6. Either party wishing to file the Subject Medical Records under seal shall  
26 comply with applicable law, including Local Rule 79-5.

27 7. Defendants' Counsel shall return the Subject Medical Records to plaintiff  
28 within fifteen (15) days of the final District Court or Court of Appeals dispositive order.

