

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE**

**THOMAS NEELY,**

**Plaintiff,**

**v.**

**No.: 3:05-CV-304**  
**(Phillips/Guyton)**

**FOX OF OAK RIDGE, INC. and**  
**BENJAMIN H. CURD,**

**Defendants.**

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**AGREED ORDER TO PRODUCE MEDICAL AND HOSPITAL RECORDS**  
**AND EMPLOYMENT RECORDS**

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In this cause, by agreement of counsel and for good cause to the Court Shown, it is hereby ORDERED that all hospitals, doctors, nurses, x-ray technicians, pharmacists, and any and all other medical personnel or health care facilities, allow the law firm of SPICER, FLYNN & RUDSTROM, PLLC or its representatives, or designates, to inspect and copy any and all Protected Health Information in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as well as all other information and records, including itemized bills, and/or office records, including, without limitation, doctor and/or nurses' notes, x-ray reports, films, photographs, order sheets, medication sheets, laboratory reports, consultation reports, and discharge summaries covering examinations, findings and treatment rendered to the **Plaintiff THOMAS E. NEELY, DOB: 2/26/58**, (This Order shall include any records or psychological reports prepared by or on behalf of any psychiatrists, psychologists, or counselors, relating to diagnosis and treatment of any psychiatric condition and/or disorder.) The aforementioned records are being obtained for legal purposes. This Order shall expire upon entry of final order of this Court rendering judgment or dismissing this case. The Plaintiff may petition the Court in writing at any time to revoke this Order authorizing the release of the Plaintiff's Protected Health Information. The Protected Health Information may be redisclosed

by the Defendants and their attorneys only to the extent necessary for the further litigation of this matter pending before this Court, and will be destroyed after the conclusion of the litigation. Defendants' counsel will furnish to Plaintiff's counsel copies of any medical records obtained within ten (10) days.

By signing below and agreeing to this Order, the indicated attorney for Thomas Neely has acknowledged that he is authorized by Thomas Neely to agree to the release of the Protected Health Information of **Thomas Neely**.

IT IS FURTHER ORDERED that any past or present employer or educator of Plaintiff will furnish copies of any and all employment or educational records or any and all information pertaining to the employment or education of the Plaintiff to the law firm of SPICER, FLYNN & RUDSTROM, PLLC. Defendants' counsel will also furnish copies of these records as well to Plaintiff's counsel within ten (10) days of receipt.

ENTER this \_\_\_\_ day of \_\_\_\_\_, 2005.

s/ H. Bruce Guyton  
United States Magistrate Judge  
JUDGE

RESPECTFULLY SUBMITTED  
AND APPROVED FOR ENTRY:

s\Michael Inman  
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