

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

MARILYN R. FOSTER,)	
)	
Plaintiff,)	
)	
VERSUS)	CIVIL ACTION NO. 3:19-CV-24
)	HON. PAMELA REEVES
JONATHAN WILLIAM HAFNER, M.D., and)	MAGISTRATE GUYTON
EAST TENNESSEE EAR, NOSE &)	
THROAT SPECIALISTS, P.C.,)	
)	
Defendants.)	

QUALIFIED PROTECTIVE ORDER
PERMITTING EX PARTE INTERVIEWS WITH TREATING PROVIDERS

Upon motion of Defendants, Jonathan W. Hafner, M.D. (“Dr. Hafner”) and East Tennessee Ear, Nose & Throat Specialists, P.C. (“ETENT”), pursuant to Tenn. Code Ann. § 29-26-121(f), it is hereby **ORDERED**:

1. Defendants and/or their attorneys may conduct informal interviews with the following health care providers of Marilyn Foster:
 - Phillip Reagan, CRNA
 - H. Frank Todd, M.D.
 - Tamara Collins, M.D.
 - Alex Langerman, M.D.
 - Evan Reiter, M.D.
 - James Whelan, M.D.
 - Felicia Johnson, M.D.

- Michael Frederick Vazi, M.D.
 - Anne Martin, M.S.
 - Matthew Mori, M.D.
 - David Francis, M.D.
 - Kimberly Vinson, M.D.
 - Rachit Shah, M.D.
 - Bikram Bal, M.D.
 - William Fiske, M.D.
 - Bronn Rayne, M.D.
2. Defendants may discuss relevant information regarding this litigation, and may conduct interviews with the above-listed health care providers, outside the presence of Plaintiff or her counsel.
 3. Participation in any such interview by a treating health care provider is voluntary.
 4. This Order expressly limits the dissemination of any protected health information of Marilyn Foster to the litigation pending before this Court, as stated in Tenn. Code Ann. § 29-26-121(f). Any protected health information obtained during the course of any informal interview, including copies of any notes and records, shall be returned to the health care provider or destroyed at the end of the litigation.
 5. Any discussion with a relevant health care provider is limited to the parameters of Tenn. Code Ann. § 29-26-121(f).

6. Nothing in this Order restricts in any way the right of Defendants or Defendants' counsel from conducting interviews outside the presence Plaintiff or her counsel with Defendants' own present or former employees, partners, or owners concerning this health care liability action.

IT IS SO ORDERED.

ENTER:


United States Magistrate Judge

APPROVED FOR ENTRY:

GIDEON, COOPER & ESSARY, PLC

/s/ J. Blake Carter

C.J. Gideon, Jr., #6034

J. Blake Carter, #30098

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