

Court of Appeals, State of Michigan

ORDER

Kirstin Smalec v Mid-Michigan Physicians PC

Docket No. 324919

LC No. 14-000835-NH

Peter D. O'Connell
Presiding Judge

Donald S. Owens

Stephen L. Borrello
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion for stay pending appeal is DENIED.

The application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review. The trial court's November 14, 2014 order allows defendants to renew their motion for a qualified protective order when they can identify the physicians that they intend to interview. We note that a qualified protective order may not impose any conditions on ex parte interviews that are unrelated to compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 USC 1320d *et seq.*, or related privacy concerns, unless plaintiff identifies facts specific to this case showing that justice requires them. *Szpak v Inyang*, 290 Mich App 711 (2010); MCR 2.302(C).



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

MAR 23 2015

Date


Chief Clerk