

Court of Appeals, State of Michigan

ORDER

ESTATE OF DONALD M DAVOLI V FARID FATA MD

Docket No. 324921

LC No. 2014-142244-NH

Pat M. Donofrio
Presiding Judge

Mark J. Cavanagh

Kathleen Jansen
Judges

The Court orders that the motion to file a late answer is GRANTED and the answer filed with the motion is accepted.

In lieu of granting leave to appeal, pursuant to MCR 7.205(E)(2), the Court orders that the Oakland Circuit Court's decision to require defense counsel to notify plaintiff no later than 24 hours before any ex parte interview with plaintiff's treating physicians and health care providers is REVERSED and the language of the fourth paragraph of the circuit court's November 14, 2014 qualified protective order requiring such notice is STRICKEN from the qualified protective order. *Szpak v Inyang*, 290 Mich App 711; 803 NW2d 904 (2010). Plaintiff's desire for notice can be accomplished through traditional methods of discovery. MCR 2.309; MCR 2.302(E)(1)(b)(ii), (c).

This Court retains no further jurisdiction.



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

MAY 21 2015

Date


Chief Clerk