

Court of Appeals, State of Michigan

ORDER

Mahendra Patel v Providence Park Hospital

Docket No. 339581

LC No. 2017-158365-NH

Deborah A. Servitto
Presiding Judge

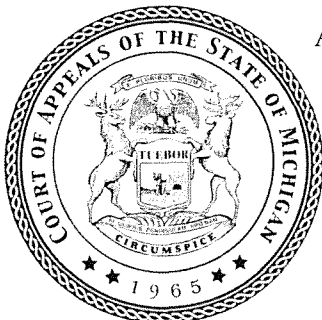
Colleen A. O'Brien

Jonathan Tukel
Judges

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 include paragraph (e) in the qualified protective order is REVERSED. Paragraph (e) of the circuit court's July 20, 2017 qualified protective order, which requires that counsel notify all attorneys of record no later than 24 hours before any ex parte interview with plaintiff's treating physicians and health care providers, is STRICKEN from the order. The trial court abused its discretion when it imposed that condition in the absence of identified facts specific to this case showing that justice required it. *Szpak v Inyang*, 290 Mich App 711; 803 NW2d 904 (2010). In all other respects the application for leave to appeal is DENIED.

This order has immediate effect. MCR 7.215(F)(2).

The Court retains no further jurisdiction.



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

JAN 25 2018

Date

Chief Clerk