

Order

Michigan Supreme Court
Lansing, Michigan

May 7, 2009

Marilyn Kelly,
Chief Justice

137993 & (59)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

ANDREA L. HOLMAN, Personal Representative
of the Estate of LINDA CLIPPERT, Deceased,
Plaintiff-Appellant,

v

SC: 137993
COA: 279879
Oakland CC: 2005-068493-NH

MARK RASAK, D.O.,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the November 18, 2008 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed whether the Health Insurance Portability and Accountability Act of 1996 (HIPAA) permits ex parte interviews by defense counsel with treating physicians pursuant to a qualified protective order.

The motion for leave to file brief amicus curiae is GRANTED. The Michigan Association for Justice and Michigan Defense Trial Counsel, Inc. are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



d0430

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 7, 2009

Corbin R. Davis

Clerk