

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

IN RE: COOK MEDICAL, INC. IVC FILTERS
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION

Case No. 1:14-ml-2570-RLY-TAB
MDL No. 2570

This Document Relates to All Actions

**ORDER ON COOK DEFENDANTS' MOTION FOR ENTRY OF ORDER
AUTHORIZING *EX PARTE* CONTACT BETWEEN COOK DEFENDANTS AND
PLAINTIFFS' TREATING PHYSICIANS**

This cause has come before the Court upon the motion of Cook Defendants for entry of an order authorizing *ex parte* contact between Cook Defendants and Plaintiffs' treating physicians. Being duly advised, the Court finds that the Motion should be and hereby is GRANTED IN PART and DENIED IN PART.

IT IS THEREFORE, ORDERED, AJUDGED AND DECREED that Cook Defendants are authorized to engage in *ex parte* communications with the treating physicians of the Discovery Pool Plaintiffs only, beginning no earlier than January 5, 2016. If a Discovery Pool Plaintiff has a specific objection to a specific area of inquiry by Cook Defendants, he or she must make such objection, through Plaintiffs' Liaison Counsel, by no later than January 4, 2016. If an objection is made, Cook Defendants may not contact the treating physician(s) at issue until such objection has been resolved or ruled upon by the Court.

IT IS FURTHER ORDERED that Cook Defendants shall provide each treating physician contacted with a copy of the Notice attached to this Order and shall bear any costs related to any *ex parte* communications.

Entered this 21st day of December, 2015.

A handwritten signature in black ink, appearing to read "T. Baker", written above a horizontal line.

Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

Copies to all registered counsel of record via the Court's ECF system.
All non-registered counsel of record will be served by Plaintiffs' Lead Counsel.

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NOTICE TO TREATING PHYSICIANS

Counsel for Defendants Cook Incorporated, Cook Medical LLC, and William Cook Europe ApS (collectively, "Cook Defendants") have been authorized to directly communicate with the treating physicians of the following Plaintiffs to this litigation, outside of the presence of Plaintiffs' counsel: Donna Avery-Montgomery, June Bordner, Tonya Brand, Eddie Campbell, Ronald Huffman (deceased), Daniel Metro, Amanda Rauch, Daniel Shafer, Ginger Sumner, and Tammy True.

No treating physician is required to speak with the Cook Defendants or their counsel.

Such communications with counsel for the Cook Defendants will not constitute a violation of Indiana's physician-patient privilege law or HIPAA.

Dated this 21st day of December, 2015.



Tim A. Baker
United States Magistrate Judge
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Tim A. Baker
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