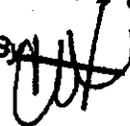


STATE OF MINNESOTA
COUNTY OF RAMSEY

FILED
Court Administrator
APR 23 2007
By  Deputy

DISTRICT COURT
SECOND JUDICIAL DISTRICT
Case Type: Personal Injury

Other Civil

File No: 62-CX-06-007759


United Healthcare Services, Inc., et al.,
Plaintiffs,

v.

Guidant Corporation, et al.,
Defendants.

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
Case Type: Personal Injury

Other Civil

Blue Cross and Blue Shield Association et
al.,

Court File No. C6-06-4938

Plaintiffs

v.

Guidant Corporation, et al.,
Defendants

**ORDER GRANTING THIRD-PARTY PAYOR PLAINTIFFS' MOTION TO
COMPEL AND MOTION FOR ENTRY OF A "HIPAA" PROTECTIVE ORDER**

The above-entitled matters came on for hearing on March 6, 2007 on the Motions of the Third-Party Payor Plaintiffs for (1) an order overruling Defendants' objections to the Interrogatories and Requests for Production of Documents – Sets I, separately served

by the UnitedHealthcare and Blue Cross Plaintiffs, and the Interrogatories and Requests for Production of Documents – Set II, served jointly by the Third-Party Payor Plaintiffs, and compelling Defendants to produce documents and information responsive to these Interrogatories and Document Requests, and (2) for entry of a protective order specifically in accordance with the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and its regulations.

Having heard the arguments of counsel, and reviewed the motion papers of the Third-Party Payor Plaintiffs and the opposition of the Guidant Defendants, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Motions of the Third-Party Payor Plaintiffs are granted, in part, as set forth below.
2. The information to be produced pursuant to this Order shall be governed by a separate protective order in accordance with the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and governing regulations. The information is to be produced to a third-party vendor who shall be approved by the Court and paid for by the Third-Party Payor Plaintiffs. In addition to the parties who shall be bound by that Order, the Third-Party Payor Plaintiffs shall secure the agreement of the third-party vendor to comply with and be bound by the HIPAA Protective Order.
3. Defendants’ objections to the Interrogatories and Requests for Production of Documents – Sets I, separately served by the UnitedHealthcare and Blue Cross Plaintiffs, are overruled. Defendants shall, within thirty (30) days hereof, provide the

third-party vendor with documents and answers responsive to the Interrogatories and Requests for Production of Documents – Sets I.

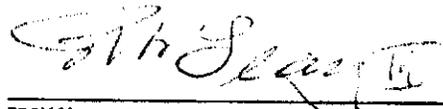
4. Defendants' objections to the Interrogatories and Requests for Production of Documents – Set II, served jointly by the Third-Party Payor Plaintiffs, are overruled, except as to Interrogatory Nos. 2 and 5, and the portion of Interrogatory No. 4 pertaining to physicians and hospitals/facilities, and also the portion of Document Request No. 3 that in turn relates to Interrogatory Nos. 2 and 5, and the portion of Interrogatory No. 4 pertaining to physicians and hospitals/facilities.

5. Defendants shall, within thirty (30) days hereof, provide the third-party vendor with documents and answers responsive to the Interrogatories and Requests for Production of Documents – Set II, except Interrogatory Nos. 2 and 5, and the portion of Interrogatory No. 4 pertaining to physicians and hospitals/facilities, and also the portion of Document Request No. 3 that in turn relates to Interrogatory Nos. 2 and 5, and the portion of Interrogatory No. 4 pertaining to physicians and hospitals/facilities.

6. Review of the individually identifiable health information of patients that is contained in the documents and information to be produced in response to the Interrogatories and Requests for Production of Documents – Sets I, and the portion of Interrogatory No. 4 in Set II pertaining to patients, shall initially be limited to employees of the designated third-party vendor. The vendor shall attempt to match the persons identified in the documents and information to be produced by Defendants with persons contained in the membership or other databases maintained by the Third-Party Payor Plaintiffs regarding covered individuals. Once this matching process is completed, in

whole or in part, the matched data may be shared with counsel for the Third-Party Payor Plaintiffs, including their support staff; the matched data pertaining to UnitedHealthcare may also be shared with employees of the UnitedHealthcare Third-Party Payor Plaintiffs; and the matched data pertaining to Blue Cross Plans may also be shared with employees of the Blue Cross Plans Third-Party Payor Plaintiffs. The limits set forth herein on disclosure may be modified by the Court for good cause.

Dated: 1/20/07



William H. Leary III
Judge of District Court