

STATE OF SOUTH DAKOTA  
First Judicial Circuit Court  
I hereby certify that the foregoing instrument  
is a true and correct copy of the original as the  
same appears on file in my office on this date:

STATE OF SOUTH DAKOTA

JUL - 1 2015

IN CIRCUIT COURT

COUNTY OF YANKTON

FIRST JUDICIAL CIRCUIT

Jody L. Johnson  
Yankton County Clerk of Courts

By: Spinderson Civ. No. 14-355

MARY CLINE, Individually and as Personal  
Representative of the Estate of MAX CLINE,

Plaintiff,

v.

YANKTON MEDICAL CLINIC, P.C.,  
JOHN FRANK, M.D., and MICHAEL  
PIETILA, M.D.,

Defendants.

**ORDER RE: PLAINTIFF'S  
MOTION TO COMPEL DEFENDANTS'  
ANSWERS TO PLAINTIFF'S REQUESTS  
FOR PRODUCTION OF DOCUMENTS  
No. 14 and No. 15**

**FILED**

JUL - 1 2015

*Jody L. Johnson*  
Yankton County Clerk of Courts  
1st Judicial Circuit Court of South Dakota

This matter having come before the Court on May 6, 2015 and June 24, 2015, on Plaintiff's Motion to Compel Defendants to answer Plaintiff's Requests for Production of Documents No. 14 and No. 15, stated as follows:

REQUEST No. 14. A copy of the audit trail from any computer system reflecting access to Max's electronic medical records at Yankton Medical Clinic, P.C. and Avera Sacred Heart Hospital (as can be accessed from Yankton Medical Clinic, P.C.) from January 1, 2012, to the present; and REQUEST No. 15. A copy of Max's electronic medical records at Yankton Medical Clinic, P.C. and Avera Sacred Heart Hospital (as can be accessed from Yankton Medical Clinic, P.C.) from January 1, 2012, to the present, in the form as viewed by Defendants on the computer screen;

and the parties not appearing personally but through counsel of record, Tim James, James & Larson Law, for the Plaintiff and Shane Eden, Davenport, Evans, Hurwitz & Smith for the Defendants, and the court having considered the briefs and affidavits and heard argument of counsel, and good cause appearing therefore,

IT IS HEREBY ORDERED that as to Request for Production of Documents No. 14,

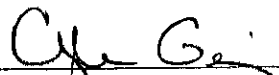
Defendants shall provide to Plaintiff, on or before 5:00 p.m. July 1, 2015, the entire Significant Events Audit Trail from January 1, 2013 through June 24, 2015, in Excel format;

IT IS FURTHER ORDERED that as to Request for Production of Documents No. 14, Defendants shall provide to Plaintiff, on or before 5:00 p.m. July 1, 2015, the entire Advanced Audit Trail from January 1, 2014, (or beginning the first date in January 2014 the Advanced Audit Trail was functional at Yankton Medical Clinic, P.C.) through June 24, 2015, in Excel format;

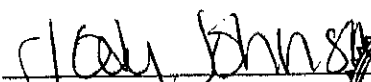
IT IS FURTHER ORDERED that the Court deems Plaintiff's motion as to Request for Production of Documents No. 15, to be resolved.

Dated this 30<sup>th</sup> day of June, 2015.

BY THE COURT:

  
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Honorable Cheryle Gehring  
Circuit Court Judge

ATTEST:

By   
Clerk of Court  
