

IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:)
) CASE NO.60
NAKITA BLOCTON)
CIRCUIT JUDGE,) UNOPPOSED
BIRMINGHAM DIVISION)
DOMESTIC RELATIONS DIVISION)
JEFFERSON COUNTY, AL.)

FILED

OCT 18 2021

COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

PROTECTIVE ORDER AS TO MEDICAL RECORDS AND TESTIMONY

The Court having considered the Parties' request to obtain certain healthcare documents and testimony, does hereby enter the following Order. As concerns the testimony of Dr. Michael Holt, the attorneys for the parties to this matter are permitted to obtain the deposition testimony of Dr. Michael Holt as to his examination of Judge Nakita Blocton and all health information and reports prepared by Dr. Holt relating to said examination.

This Order authorizes Dr. Michael Holt who is provided with a subpoena requesting the production of documents or commanding attendance at deposition or trial to disclose his opinions, findings and records in response to such request or subpoena. This Order is intended to authorize such disclosures and to protect those records as covered under Section 164.512(e)(1) of the privacy regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Said records and opinions are hereafter referred to as Protected Health Information.

The Court further orders the report of the examination performed by JourneyPure which occurred 02/23/21 – 02/25/21 shall be filed under seal. Moreover, to the extent there are any other medical records or documents of any kind created or maintained by any other healthcare provider which relate to the care and treatment of Judge Nakita Blocton, said documents shall likewise be filed under seal. The terms of this Protective Order shall govern the production and maintenance of said discovery.

Nothing in this Order shall be deemed to relieve any party or attorney of the requirements of the Alabama Rules of Civil Procedure. Nothing in this Order permits disclosure of confidential communications, made for the purposes of diagnosis or treatment of Judge Nakita Blocton's


physical, mental or emotional condition, to any person other than attorneys for the Parties to this matter, any experts retained by the Parties, or staff employed by the attorneys. Said individuals are bound to the terms of this Order.

Nothing in this Order shall be construed to authorize any party or any attorney for any party to release, exchange, submit or share Dr. Michael Holt's deposition testimony, any report prepared by Dr. Holt or JourneyPure, any records related to Judge Nakita Bloeton or any Protected Health Information as covered by HIPAA with any other person or any other entity, other than an agent including any expert or employee of the attorney or party. This Order prohibits the parties from using or disclosing the Protected Health Information for any purpose other than this proceeding.

At the conclusion of this action and at the written request of Judge Nakita Bloeton whose Protected Health Information has been disclosed, or such Individual's authorized representative, all recipients of the Protected Health Information shall return or destroy the documents and all copies thereof containing Protected Health Information received by them pursuant to this Order to Judge Bloeton or her attorneys.

To the extent any deposition testimony by Dr. Michael Holt, any other healthcare provider, or any of the Protected Health Information is desired by either party to be produced to the Alabama Court of the Judiciary, said information shall be filed under seal and in accordance with the Alabama Rules of Civil Procedure and Alabama Rules of Evidence.

DONE and ORDERED this the 18th day of October 2021.



WILLIAM COLE