

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Derrick Schaeffer,)	
)	
Plaintiff,)	No. 19-cv-7711
)	
-vs-)	Judge Robert M. Dow Jr.
)	
City of Chicago, et al.)	Magistrate Judge Jeffrey T. Gilbert
)	
Defendants.)	

**DEFENDANTS' AGREED MOTION FOR ENTRY OF
QUALIFIED HIPAA PROTECTIVE ORDER**

Defendant Officers Brandon, Perez, Kinsey, and Gregoire-Watkins (collectively, “Defendant Officers”) by one of their attorneys, Evan K. Scott, Assistant Corporation Counsel, respectfully move this Honorable Court, pursuant to Fed. R. Civ. P. 26(c), 45 C.F.R. §§ 160 and 164, and 740 ILCS 110/1-17 for entry of the “Qualified HIPAA Protective Order,” submitted as requested in the Court’s standing order. In support thereof, Defendant Officers state as follows:

1. The parties agree that some of Plaintiff’s medical records are relevant to this action. Defendant Officers seek production in this litigation of medical information covered by the Health Insurance Portability and Accountability Act.

2. Medical information is protected by the Health Insurance Portability and Accountability Act of 1996, codified primarily at 18, 26 and 42 U.S.C. (2002). The “Privacy Standards” for such information is found at 45 C.F.R. §§ 160 and 164 (2000).

3. The proposed “Qualified HIPAA Protective Order,” incorporates the Court’s model protective order and facilitates production of such materials for this case while prohibiting use of medical information covered by the Health Insurance Portability and Accountability Act for any purpose other than litigation of this case, prohibits their dissemination to parties outside

this litigation, and requires their destruction at the end of this litigation. Such an order would ensure the protection of such information, consistent with the principles of federal and Illinois law.

5. Defendant Officers' proposed "Qualified HIPAA Protective Order" was submitted to the Court's proposed order electronic folder, shortly after the filing of this motion on December 8, 2020.

WHEREFORE, Defendant Officers respectfully request that this Honorable Court enter the "Qualified HIPAA Protective Order" in this matter.

Respectfully submitted,

By: /s/Evan K. Scott
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that she has caused a true and correct copy of the foregoing Motion to be filed with the Court's CM/ECF online filing system, thereby serving a copy of the same on all counsel of record this 8th day of December 2020.

/s/ Evan K. Scott

Assistant Corporation Counsel