

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA, ex rel.)	
ALEX PERMENTER,)	
ERIC RODIGHIERO, and)	
CHRIS WHEELER,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO. 5:18-cv-382 (MTT)
)	
eCLINICALWORKS, LLC,)	
)	
Defendant.)	
_____)	

ORDER

On August 4, 2023, Relators and eClinicalWorks filed their Consent Motion for Entry of an Order Pursuant to Federal Rule of Evidence 502(d) in which the parties stipulated that the productions described below would not result in the waiver of any applicable privileges or protections. Doc. 115.

The Court has read the Consent Motion and for the reasons stated therein, that motion (Doc. 115) is **GRANTED**. Accordingly, the Court **ORDERS** as follows:

1. Relators may produce to eClinicalWorks an interrogatory response describing their conclusions about the software's security, as well as screenshots and other documentation of those conclusions. The documents will be marked highly confidential pursuant to the Confidentiality Order.
2. Relators' production shall not waive any privileges or protections, including the attorney-client privilege, work-product doctrine, common interest privilege, and joint-

prosecution privilege, as to the information or documentation provided in this or any other federal or state case. See Fed. R. Evid. 502(d).

3. This order does not constitute a ruling on the merits of any claim of privilege or other protection. All parties expressly reserve their rights to assert or contest such claims, except that neither the contemplated production nor this order constitutes a waiver of any privilege or protection.

SO ORDERED, this 10th day of August, 2023.

S/ Marc T. Treadwell
MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT