

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CIVIL ACTION NO. C 94-1023
)	
vs.)	HON. MICHAEL MELLODY
)	
MERCY HEALTH SERVICES and)	
FINLEY TRI-STATES HEALTH)	
GROUP, INC.)	
)	
Defendants.)	
)	

STIPULATION AS TO PRODUCTION OF DOCUMENTS
CLAIMED BY DEFENDANTS TO BE PRIVILEGED

Defendants Mercy Health Services and Finley Tri-States Health Group, Inc. and Plaintiff United States of America hereby stipulate to the following:

1. Plaintiff sought certain documents from Defendants in connection with Civil Investigative Demands No. 10483, 10484 and 10773 ("C.I.D.'s") and this litigation.

2. Defendants claim that certain documents were subject to the attorney-client privilege and/or work product protection.

3. In order to expedite discovery and to avoid unnecessary disputes, Defendants are voluntarily agreeing to produce certain documents listed on the schedule attached hereto as Exhibit A in consideration of the following:

(a) Plaintiff agrees that production of such documents does not constitute a waiver of any claim of privilege with respect to these documents;

(b) Plaintiff agrees not to seek to compel the production of any other documents claimed by Defendants to be privileged or work product by asserting that Defendants' production of the documents listed on Exhibit A constitutes a waiver of any privileges;

(c) The production of these documents does not preclude Defendants from asserting that such documents, or any information contained therein, are inadmissible at trial;

(d) Plaintiff reserves its right to challenge any claim of privilege by the Defendants on grounds other than the Defendants' production of the documents listed on Exhibit A.

SO ORDERED:

United States District Judge

Stipulated and Agreed To By:

Attorney for Plaintiff

Date

Attorney for Defendants

Date

EXHIBIT A

Document No.

F065093

M025577

M025606

M025726

M025726

M026408

M025684-87

M206472-495