

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

ROBERT HAYWOOD, <i>et al.</i> ,	*	
Plaintiffs,	*	
	*	Case No. 2009 CA 009656 M
v.	*	Judge Ramsey Johnson
	*	Discovery Request: 10/04/2010
MEDSTAR-GEORGETOWN MEDICAL CTR, *	*	
Defendants.	*	

**ORDER GRANTING MOTION TO COMPEL DEFENDANT TO DESIGNATE A
SPOKESPERSON FOR A DEPOSITION**

This matter comes before the Court on Motion to Compel Defendant to Designate a Spokesperson for a Deposition, August 3, 2010. Upon consideration of the Motion, Opposition, arguments made by counsel at the September 9, 2010 status hearing, and the record herein, it is this 13th day of September 2010, hereby:

ORDERED, that Plaintiff's Motion to Compel is hereby **GRANTED**,

ORDERED, that Defendant shall produce within twenty (20) business day, or a date agreed to by both parties, one or more persons "who consent to testify on its behalf," and who shall be required to testify "as to matters known or reasonably available to the hospital," on the following topics:

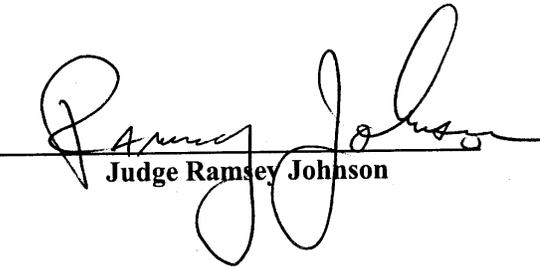
- a. The hospital's position as to the cause of Mrs. Haywood's suffering respiratory arrest on March 2, 2009, and its position as to what were the significant events that caused or contributed to this arrest, when those events occurred, and the identities of all members of its staff present at the time.
- b. The hospital's position as to the cause of Mrs. Haywood's neurological injury suffered on March 2, 2009, and its position as to what were the significant events that caused or

contributed to this injury, when those events occurred, and the identities of all members of its staff present at the time.

ORDERED, that if the hospital contends that either of the above topics “does not describe with reasonable particularity the matters on which examination is requested,” then counsel for the parties shall meet and confer promptly and try to work out an agreed description of the topics, consistent with those stated in plaintiff’s original notice of deposition pursuant to Rule 30(b)(6), and

FURTHER ORDERED, that notwithstanding any of the above, the Defendant shall not be required to divulge the results of any peer review investigation. However, as stated in District of Columbia Code §44-804(b), “primary health records and other information, documents, or records available from original sources shall not be deemed nondiscoverable or inadmissible merely because they are a part of the files, records, or reports of a peer review body.”

SO ORDERED.



Judge Ramsey Johnson

Copies via electronic service to:

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Counsel for Defendant