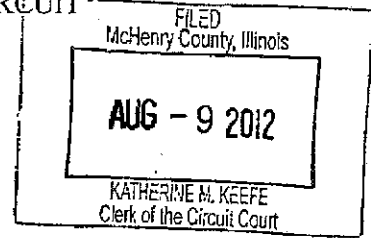


IN THE CIRCUIT COURT OF THE 22nd JUDICIAL CIRCUIT  
McHENRY COUNTY, ILLINOIS



IN RE: THE MARRIAGE OF )

KIMBERLY POPOVICH, )  
Plaintiff, )

vs. )

THOMAS POPOVICH, )  
Defendant. )

No. 11 DV 324

**AGREED HIPAA QUALIFIED PROTECTIVE ORDER**

This matter coming on to be heard on the Motion of Defendant, THOMAS J. POPOVICH, for the entry of a Qualified Protective Order pursuant to Health Insurance Portability and Accountability Act of 1996 (see Pub L. 104-191. 110 Stat. 1936), and the Motion of Kimberly Popovich to quash certain subpoenas to Centegra for her medical records, due notice hereof having been given, and the court being fully advised in the premises:

IT IS HEREBY ORDERED AS FOLLOWS:

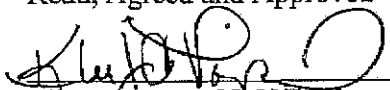
1. The current parties (and their attorneys) are authorized to receive "protected health information" (also referenced herein as "PHI"), pertaining to Kimberly Popovich as identified below to the extent, and subject to the conditions, outlined herein.
2. For purposes of this Qualified Protective Order, "PHI", or "protected health information" are 3 pages of the health records of Centegra Hospital from March 4, 2012 identified by Bates Nos. KP000001-KP000003.
3. The parties and their attorneys shall be permitted to use the PHI of Kimberly Popovich solely for matters reasonably connected with the above-captioned litigation. This includes, but is not limited to disclosure to the parties, their attorneys of record, the attorneys' firms (i.e., attorneys, support staff and

consultants) the parties insurers, experts, consultants, court reporters, copy services, and the Judge.

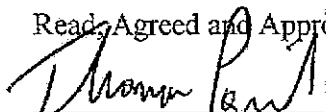
4. At the conclusion of this litigation, (which shall be defined as the point at which final orders disposing of the entire case as to any defendant have been entered, or the time at which all trial and appellate proceedings have been exhausted as to any defendant), that defendant and any person or entity in possession of PHI received pursuant to this order, shall destroy any and all copies of PHI pertaining to Kimberly Popovich.
5. Nothing in this order authorizes defense counsel to obtain further medical records or information of Kimberly Popovich absent further order of this court. Likewise, nothing in this order relieves any party from complying with the requirements of the Illinois Mental Health and Development Disability Confidentiality Act (740 ILCS 110/1 et. seq.) the Aids Confidentiality Act (410 ILCS 305/1 et. seq.) or state and federal law that protects certain drug and alcohol records (20 ILCS 301/30-5, 42 USC 239dd-3, 290ee-3, and 42 CFR Part 2).
6. Nothing in this Order can be construed to waive any rights Kimberly Popovich has under 735 ILCS 5/8-802 or other state and/or federal mental or physical mental health record privacy laws.
7. The subpoenas issued to Centegra for a deposition on July 11, 2012 and for the hearing of July 12, 2012 at 1:30 p.m. are hereby withdrawn by Defendant.
8. The parties stipulate that KP000001, KP000002 and KP000003 are admissible without further foundation at the Plenary Order of Protection hearing beginning July 12, 2012.

9. Plaintiff represents that there are no further medical records for Kimberly Popovich for March 4 and 5, of 2012 that reference Thomas Popovich or how the accident of March 4, 2012 occurred.

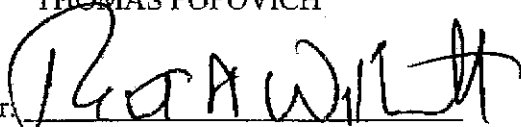
Read, Agreed and Approved

  
KIMBERLY POPOVICH

Read, Agreed and Approved

  
THOMAS POPOVICH

Enter

  
Judge Wilbrandt