

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KRISTY DUMONT; DANA DUMONT;  
ERIN BUSK-SUTTON; and REBECCA  
BUSK-SUTTON,

Plaintiffs,

No. 17-cv-13080-PDB-EAS

HON. PAUL D. BORMAN

v.

NICK LYON, in his official capacity as the  
Director of the Michigan Department of  
Health and Human Services; and HERMAN  
MCCALL, in his official capacity as the  
Executive Director of the Michigan  
Children's Services Agency,

Defendants,

and

ST. VINCENT CATHOLIC CHARITIES;  
MELISSA BUCK; CHAD BUCK; and  
SHAMBER FLORE,

Defendants-Intervenors.

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**STIPULATED 502(D) ORDER**

1. The production of privileged or work-product protected documents, electronically stored information ("ESI") or other information, whether inadvertent or otherwise, is not a waiver of the privilege or protection from discovery in this case or in any other federal, state, or administrative proceeding. This Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d).

2. Nothing contained herein is intended to or shall serve to limit a party's right to conduct a review of documents, ESI or information (including metadata) for relevance, responsiveness and/or segregation of privileged and/or protected information before production.

3. When the disclosure of any information, document or thing protected by privilege or work-product immunity is discovered by the disclosing party and brought to the attention of the receiving parties, the treatment of such material by the receiving parties shall be in accordance with Fed. R. Civ. P. 26(b)(5)(B). Disclosure of such information, document or thing shall not by itself constitute a waiver by the disclosing party of any claims of privilege or work-product immunity. However, nothing herein restricts the right of the receiving parties to challenge the disclosing party's claim of privilege within a reasonable time after receiving notice of the claim of privilege.

The Parties through their respective counsel stipulate that the Court should enter this Order in this form and without further notice.

IT IS SO ORDERED.

Dated: December 21, 2018

s/Paul D. Borman  
Paul D. Borman  
United States District Judge

Attorney for Plaintiffs:

Dated: December 20, 2018

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Dated: December 20, 2018

/s/ Joshua S. Smith  
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Dated: December 20, 2018

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