UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO
U.S. MAGISTRATE JUDGE MINUTE ENTRY

(X) MINUTE ENTRY ORDER
(X) TELEPHONE DISCOVERY HEARING

Judge: RONALD E. BUSH

Deputy Clerk: Lynette Case
Date: 9/11/ 2013 **CV. 12-560-S-BLW (REB)**
ESR: Carrie McMahan (Boise, Idaho) **50 minutes.**

SAINT ALPHONSUS MEDICAL CENTER, NAMPA-et al,
Pltff. **Keely Duke/Lara Phillip**

FTC- **Henry Su**

ST. LUKE'S HEALTH SYSTEM, LTD, et al,
Defendants, **Jack Bierig/Scott Berliant/ Walt Sinclair/Scott Stein/Charles Schafer**

SALTZER MEDICAL GROUP, **Brian Julian**

TELEPHONE DISCOVERY CONFERENCE:

Court reviewed the record.

Oral Ruling: As to St. Luke's claim of work product protection regarding a PowerPoint presentation that was produced by its counsel (at SLHS001229104 and existing in various iterations), the Court finds it to be a dual purpose document prepared at the request of St. Luke's general counsel to assist in providing legal advice to the client. Accordingly, pursuant to applicable Ninth Circuit case law, St. Luke's may appropriately claw back the document and any other iterations of it because it is entitled to attorney work product protection.

As to the issues raised by St. Al's in relation to St. Luke's privilege logs (both as to forwarded documents and meeting minutes), on or before September 12, 2013, St. Luke's shall provide some measure of additional detail in the privilege log to help satisfy St. Al's concerns. St. Al's shall then review these updated privilege log entries and notify the Court by September 16, 2013 at 12:00 p.m. (MST) which, if any, entries/documents remain at issue.

THESE MINUTES STAND AS THE ORDER OF THE COURT.