

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE: NATIONAL HOCKEY LEAGUE )  
PLAYERS CONCUSSION INJURY )  
LITIGATION )  
\_\_\_\_\_) MDL No. 14-2551 (SRN/JSM)  
This Document Relates to: )  
ALL ACTIONS )

**JOINT STIPULATION OF PLAINTIFFS AND NON-PARTY U.S. NHL CLUBS  
AND PRETRIAL ORDER No. 20: REGARDING PRIVATE MEDICAL  
INFORMATION**

COME NOW Plaintiffs and the non-party U.S. National Hockey League Clubs<sup>1</sup>  
(the “Clubs”) and hereby enter into the following joint stipulation regarding the  
production of certain documents the Clubs believe include private medical information  
 (“PMI”) in response to subpoenas served by Plaintiffs:

WHEREAS, the Court has entered a qualified protective order applicable to  
information protected under privacy laws, including, without limitation, PMI, which  
order complies with the requirements of the Health Information Portability and

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<sup>1</sup> The Clubs are: Anaheim Ducks Hockey Club, LLC d/b/a Anaheim Ducks; IceArizona Hockey Co LLC d/b/a Arizona Coyotes Hockey Club; Boston Professional Hockey Association, Inc. d/b/a Boston Bruins; Hockey Western New York, LLC d/b/a Buffalo Sabers; Hurricanes Hockey Limited Partnership d/b/a Carolina Hurricanes; Chicago Blackhawk Hockey Team, Inc. d/b/a Chicago Blackhawks; Colorado Avalanche, LLC d/b/a Colorado Avalanche; COLHOC Limited Partnership d/b/a Columbus Blue Jackets; DSE Hockey Club, LP d/b/a Dallas Stars; Detroit Red Wings, Inc. d/b/a Detroit Red Wings; Florida Panthers Hockey Club, Ltd. d/b/a Florida Panthers; Los Angeles Kings Hockey Club, L.P. d/b/a Los Angeles Kings; Minnesota Wild Hockey Club, LP d/b/a Minnesota Wild; Nashville Hockey Club Limited Partnership d/b/a Nashville Predators; New Jersey Devils, LLC d/b/a New Jersey Devils; New York Islanders Hockey Club, L.P. d/b/a New York Islanders; MSG Holdings, L.P. d/b/a New York Rangers; Philadelphia Flyers, L.P. d/b/a Philadelphia Flyers; Pittsburgh Penguins, LP d/b/a Pittsburgh Penguins; San Jose Sharks, LLC d/b/a San Jose Sharks; St. Louis Blues Hockey Club, L.P. d/b/a St. Louis Blues; Lightning Hockey LP d/b/a Tampa Bay Lightning; and Lincoln Holdings, LLC d/b/a Monumental Sports & Entertainment d/b/a Washington Capitals.

Accountability Act pursuant to 45 C.F.R. § 164.512 [Doc. 140] (the “Amended Protective Order”);

WHEREAS, the Clubs objected to subpoenas issued by Plaintiffs on the basis that the documents sought PMI in possession of the Clubs that was associated with non-party current and former NHL players, raising various privacy-related challenges on behalf of current and former NHL players who are not named plaintiffs in any of the MDL actions;

WHEREAS, Plaintiffs moved to compel the production of those documents, leading to extensive briefing by Plaintiffs and the Clubs [Docs. 156, 172, 186];

WHEREAS, on July 31, 2015, the Court ordered and directed the Clubs to produce certain PMI subject to certain conditions, to protect the privacy of the PMI, including application of the Amended Protective Order and, in some cases, de-identification, as enumerated in the Order [Doc. 196] (the “Production Order”);

WHEREAS, Plaintiffs and the Clubs have continued to meet and confer in good faith regarding the scope of the Production Order as it applies to certain documents the Clubs believe contain PMI that were identified on the Clubs’ PMI logs;

WHEREAS, Plaintiffs and the Clubs stipulate that the Clubs are not waiving, implicitly or expressly, any of their positions by entering into this stipulation.

THEREFORE, Plaintiffs and the Clubs hereby STIPULATE to the following:

1. Neither Plaintiffs nor the Clubs are waiving, implicitly or expressly, any of their previous positions by entering into this Stipulation and nothing in this Stipulation shall be deemed a waiver of any future position.

2. Plaintiffs and the Clubs agree that any document currently listed on the Clubs' confidential and revised PMI logs that was exchanged with any non-medical or non-training staff ("Subject Documents") may be deemed PMI subject to the Production Order, and so requiring production thereunder, including the Production Order's requirements of the application of the Amended Protective Order and de-identification. The parties have agreed that the Clubs shall produce the Subject Documents, and the Clubs shall remove block redactions from the Subject Documents that have been previously produced. Those Subject Documents shall be subject to the continuing Amended Protective Order and the de-identification requirements set forth in the Production Order, and any other protections of the Production Order that apply to highly sensitive and confidential PMI not heretofore released to the media or public, or subject to a player's specific authorization for disclosure under these circumstances.

3. This Stipulation constitutes a final resolution of the Plaintiffs' and Clubs' meet and confer regarding the scope of the Production Order as it applies to documents the Clubs maintain contain PMI that were identified on the Clubs' PMI logs as of the date of this Stipulation.

**SO ORDERED this 14<sup>th</sup> day of June, 2016**

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge