

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION

LISA COPNEY, as administratrix
of the estate of LAWRENCE
COPNEY, JR.,

Plaintiffs

vs.

EDWARD MA, M.D.,
UPMC ST. MARGARET,
And UPMC, INC.,

Defendants

NO. GD-12-016410

ORDER OF COURT

On this 28th day of May, 2015, upon consideration of the Motion to Reconvene the Deposition of Kurian J. Puthenpurayil, M.D., Disqualify Defense Counsel, and For Sanctions,

it appearing that defendants' counsel obtained information from Dr. Puthenpurayil in violation of Pa.R.C.P. No. 4003.6, and

it appearing that at Dr. Puthenpurayil's deposition, defendants' counsel, through objections, prevented Dr. Puthenpurayil from answering questions about those discussions conducted in violation of Rule 4003.6 (T. 51, 53),

I enter the following Order of Court:

It is hereby ORDERED, ADJUDGED, and DECREED that:

(1) Defense counsel and his law firm are hereby disqualified from representing any defendant in this case and from representing Dr. Puthenpurayil;

(2) Attorney Kachulis and his law firm shall provide to plaintiff, within twenty (20) day of the date of this Order, copies of any and all materials (including emails) exchanged between them and Dr. Puthenpurayil and/or his staff, and the names of any and all individuals involved with any communications with Dr. Puthenpurayil or his office; any information or materials used or learned from defendants' counsel may not be disseminated to defendants' new counsel;

(3) plaintiff may serve a subpoena, *duces tecum* or otherwise, on Dr. Puthenpurayil seeking all material disclosed to him by defense counsel and/or his law firm;

(4) Dr. Puthenpurayil's deposition will be reconvened, with defendants to cover all costs related to the same; and

(5) at the reconvened deposition, new counsel for defendants shall not give instructions to Dr. Puthenpurayil not to answer any of counsel for plaintiff's questions.

BY THE COURT:



WETTICK, J.

Copies made (6) 5/28/15