

EXHIBIT 5

(File Under Seal)

Sandra Perkins

From: Meredith Schultz
Sent: Friday, May 20, 2016 4:00 PM
To: Laura Menninger; Sigrid McCawley
Cc: Jeff Pagliuca; Nicole Simmons; Brenda Rodriguez; Paul Cassell (cassellp@law.utah.edu); 'brad@pathtojustice.com' (brad@pathtojustice.com)
Subject: RE: Giuffre v. Maxwell [Centura Health Release]

Laura,

Today I spoke with various individuals at Centura Health, which describes itself as “the region’s largest health care network” on its website. Based on those conversations, it is also our understanding that records concerning Ms. Giuffre possessed by Centura Health are not necessarily co-extensive with those possessed by Dr. Olson’s office. However, it’s my understanding that the records Centura Health possess that are not co-extensive with those possessed by Dr. Olson’s office are records, instead, pertaining to different providers within the Centura Health network. It was explained to me that Centura owns multiple hospitals and facilities, and employs multiple physicians. Therefore, if a patient of Dr. Olson was treated by another provider within the Centura Health network, that patient’s treatment record would not be part of Dr. Olson’s office records. Instead, it would be part of Centura Health’s records and that provider’s records. By way of example, it was further explained to me that if Ms. Giuffre sought treatment from an ear nose and throat (ENT) physician, and the ENT was employed by a facility within the Centura Health network, those ENT records would not be possessed by Dr. Olson, but would be possessed by Centura Health (and the treating ENT). Accordingly, based on my understanding of my conversations with Centura Health, we have received and produced all records pertaining to Dr. Olson’s treatment of Ms. Giuffre, and that any records pertaining to Ms. Giuffre that Centura Health possesses that Dr. Olson’s office does not also possess, do not pertain to Dr. Olson’s treatment of Ms. Giuffre, but, instead, pertain to treatment by other providers within the network. In short, it’s my understanding that, while we may not have records from other providers within the Centura Health network, we have all of Dr. Olson’s records.

Notwithstanding the foregoing, and in an abundance of caution, I am in the process of having Ms. Giuffre sign the release you provided, which will then be faxed to the Centura Health records office. If you have a different understanding than the above, please let me know, and please let me know the individual with whom you spoke.

Thanks,

Meredith

Meredith L. Schultz
BOIES, SCHILLER & FLEXNER LLP
401 East Las Olas Blvd., Suite 1200
Fort Lauderdale, FL 33301
Phone: 954-356-0011 ext. 4204
Fax: 954-356-0022
<http://www.bsflp.com>

From: Laura Menninger [<mailto:lmenninger@hmflaw.com>]
Sent: Thursday, May 19, 2016 5:19 PM
To: Sigrid McCawley; Meredith Schultz

Cc: Jeff Pagliuca; Nicole Simmons; Brenda Rodriguez

Subject: Giuffre v. Maxwell [Centura Health Release]

In speaking to counsel for Centura Health, the provider of Dr. Olson's services, I have learned that the records that are "possessed" by Centura Health are not co-extensive with those "possessed" by Dr. Olson. The records you previously provided related to his care are his alone and do not encompass those in Centura's custody and control.

The attached release was provided to me by Centura Health and needs to be signed by your client and returned to me as soon as possible, given Dr. Olson's upcoming deposition.

-Laura



Laura A. Menninger
Haddon, Morgan and Foreman, P.C.
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Sandra Perkins

From: Meredith Schultz
Sent: Monday, May 23, 2016 9:46 AM
To: Laura Menninger; Sigrid McCawley
Cc: Jeff Pagliuca; Nicole Simmons; Brenda Rodriguez; Paul Cassell (cassellp@law.utah.edu); 'brad@pathtojustice.com' (brad@pathtojustice.com)
Subject: RE: Giuffre v. Maxwell [Centura Health Release]
Attachments: Centura Health Fax Transmittal Document.pdf

Laura,

To follow up on my email below, attached please find the signed release form that has been faxed to the records department for Centura Health.

Thanks,

Meredith

Meredith L. Schultz
BOIES, SCHILLER & FLEXNER LLP
401 East Las Olas Blvd., Suite 1200
Fort Lauderdale, FL 33301
Phone: 954-356-0011 ext. 4204
Fax: 954-356-0022
<http://www.bsflp.com>

From: Meredith Schultz
Sent: Friday, May 20, 2016 4:00 PM
To: 'Laura Menninger'; Sigrid McCawley
Cc: 'Jeff Pagliuca'; 'Nicole Simmons'; 'Brenda Rodriguez'; Paul Cassell (cassellp@law.utah.edu); 'brad@pathtojustice.com' (brad@pathtojustice.com)
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From: Laura Menninger [<mailto:lmenninger@hmflaw.com>]
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Cc: Jeff Pagliuca; Nicole Simmons; Brenda Rodriguez
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telephone or return e-mail and delete the original transmission and its attachments without reading or saving it in any manner. Thank you.

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401 East Las Olas Boulevard, Suite 1200

Fort Lauderdale, Florida 33301

Telephone: (954) 356-0011

Fax: (954) 356-0022

FACSIMILE COVER SHEET

TO: Centura Health Medical Records **FAX: 719-285-2030**
St. Thomas More Hospital
Canon City, CO **TELEPHONE: 719-285-2000**

FROM: Meredith Schultz

DATE: May 23, 2016

Total Number of Pages:
(INCLUDING THIS COVER SHEET): 2

RE: Patient Authorization to Disclose Protected Health Information

MESSAGE: Please see attached Patient Authorization to Disclose Protected Health Information. Per the attached form, please fax all records to 954-356-0022 to the attention of Meredith Schultz.

BOIES, SCHILLER & FLEXNER LLP

New York ■ Washington DC ■ Florida ■ New Hampshire ■ California ■ New Jersey ■ Nevada

401 East Las Olas Boulevard, Suite 1200

Fort Lauderdale, Florida 33301

Telephone: (954) 356-0011

Fax: (954) 356-0022

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Canon City, CO

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Total Number of Pages:
(INCLUDING THIS COVER SHEET): 2

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MESSAGE: Please see attached Patient Authorization to Disclose Protected Health Information. Per the attached form, please fax all records to 954-356-0022 to the attention of Meredith Schultz.

THE ATTORNEY-CLIENT AND/OR ATTORNEY WORK-PRODUCT PRIVILEGES

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Sandra Perkins

From: Meredith Schultz
Sent: Wednesday, May 25, 2016 5:52 PM
To: Laura Menninger (lmenninger@hmflaw.com)
Cc: Sigrid McCawley; Paul Cassell (cassellp@law.utah.edu); 'brad@pathtojustice.com' (brad@pathtojustice.com); Sandra Perkins; jpagliuca@hmflaw.com
Subject: Centura Health Patient Authorization to Disclose Protected Health Information
Attachments: SC45416052604280.pdf

Laura,

As an update from my last email on the same, I was informed that the form in question needed to have the St. Thomas More hospital specified, and that, instead of checking the "fax" box, I needed to check the box for mailing records. Therefore, I sent them the corrected form (attached). My assistant has been in communication with the records personnel, who have confirmed that the release is valid, and that they are processing the request. We have obtained some Centura records, which will go out shortly.

Thanks,

Meredith

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