



IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

IN RE: RALEIGH HEART CLINIC LITIGATION CIVIL ACTION NO. 18-C-5000

THIS DOCUMENT APPLIES TO ALL CASES

ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL

Pending before the Court is *Plaintiffs' Motion to Compel Thair Barghouthi, M.D. and Raleigh Heart Clinic, Inc.'s Requested Financial Information* (Transaction ID 62718736). The parties have waived a hearing on the motion and have advised the Court there is no objection to the Court basing its ruling on the pleadings alone. After careful review of the written submissions of the parties, and the applicable law, and after conferring with one another to insure uniformity of their decision, as contemplated by Rule 26.07(a) of the West Virginia Trial Court Rules, the Presiding Judges unanimously find that the financial information requested by Plaintiffs is discoverable. Therefore, *Plaintiffs' Motion to Compel Thair Barghouthi, M.D. and Raleigh Heart Clinic, Inc.'s Requested Financial Information* is **GRANTED**. The Court will determine whether the requested financial information is admissible at the appropriate time, subject to a motion and proper hearing on the issue of bifurcation under West Virginia Code § 55-7-29.

WHEREFORE, the Court does hereby **ORDER, ADJUDGE, and DECREE** that Defendants provide the requested financial information, for the years 2011 to the present, to Plaintiffs' counsel **by January 17, 2019**. The objections and exceptions of any party aggrieved by this Order are expressly reserved unto them.

It is so **ORDERED**.

ENTER: December 18, 2018.

/s/ Jay M. Hoke
Lead Presiding Judge
Raleigh Heart Clinic Litigation