

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

United States of America <i>ex rel.</i>)	
Wood M. Deming, MD, individually,)	
And on behalf of Regional Cardiology)	
Consultants, PC,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 1:07-cv-01116-BBD-egb
Jackson-Madison County)	
General Hospital, <i>et al.</i>,)	<u>UNDER SEAL</u>
)	
Defendants.)	

**ORDER GRANTING IN PART RELATOR’S MOTION TO DISCLOSE ACTION
TO BANKRUPTCY TRUSTEE AND BANKRUPTCY JUDGE**

Before the Court is Relator Wood Deming’s Motion to Disclose Action to Bankruptcy Trustee and Bankruptcy Judge (Doc. 6). The United States has responded, consenting to Relator orally disclosing to the Bankruptcy Judge and Trustee that Relator filed a *qui tam* action. However, in light of its ongoing criminal and civil investigation, the United States has objected to any written pleadings or public disclosure of the *qui tam* action while the matter remains under seal, which would jeopardize the criminal investigation.

The Court agrees with the United States that this is a sensitive matter and public disclosure is to be avoided. Accordingly, the Court finds that an oral disclosure to the Bankruptcy Judge and Trustee will fulfill the Relator's responsibility to provide a full disclosure of all legal and equitable property interest. Accordingly, Relator's Motion is GRANTED in part, and it is ORDERED that Relator orally disclose to the Bankruptcy Judge and Trustee that

Relator filed a *qui tam* action. Given the confidential nature of this action, the Court suggests that Relator make this disclosure in some form of *in camera* proceeding.

Relator also moves “that the Court authorize the Chapter 7 trustee and Bankruptcy Court to approve the retention of Dr. Deming’s attorneys of record in this case to represent the interests of the trustee in this case should the trustee not abandon the case and the trustee wishes to proceed on the matter.” This request is premature. This portion of Relator’s Motion is DENIED without prejudice to re-filing if this situation occurs.

IT IS SO ORDERED.

s/Edward G. Bryant
EDWARD G. BRYANT
UNITED STATES MAGISTRATE JUDGE

DATE: March 4, 2009