

STATE OF MAINE
CUMBERLAND, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-16-442 ✓

AMY L. CHUTE,

Plaintiff

v.

MORRISON CENTER,

Defendant

STATE OF MAINE
Cumberland ss Clerk's Office

FEB 03 2017

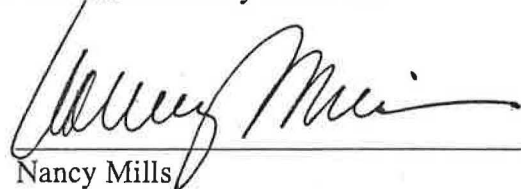
ORDER

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Plaintiff objects to defendant's request to produce plaintiff's medical records for the ten¹ years prior to her termination and any post-termination records. Plaintiff is not required to produce her medical records, as she alleges incidental or "garden variety" emotional distress only. See (Pl.'s Compl. 6); Morrisette v. Kennebec Cnty., No. 01-01-B-S, 2001 U.S. Dist. LEXIS 13309, at *3-4 (D. Me. Aug. 21, 2001). Plaintiff is precluded at trial from calling any medical experts on the issue of emotional distress and from offering into evidence records of treatment for emotional distress or the substance of any communications between plaintiff and mental health professionals or experts. See Sorenson v. H & R Block, Inc., 197 F.R.D. 199, 204 (D. Mass. 2000).

The clerk is directed to incorporate this order into the docket by reference.

Date: February 3, 2017



Nancy Mills
Justice, Superior Court

¹ Defendant agreed to five years of records during the discovery conference.