


For the reasons stated in the accompanying Memorandum, the Defendants' second motion for clarification or in the alternative reconsideration of the October 10, 2007 Order (Docket Entry No. 1042) is **DENIED**. All data from the Department of Children's Services TNKids database and the Tennessee Mental Health and Developmental Disabilities Incident and Incident Reports database shall be provided in their native format without redaction, but subject to an appropriate protective order to protect the privacy interests of the children, doctors and other protected persons. The parties have ten (10) days from the date of entry of this Order to submit an appropriate protective order and if they are unable to agree upon a protective order, their counsel shall file separate proposed orders with a statement of their differences.

It is further **ORDERED** that the Plaintiffs' computer expert, Michael Tigh, his computer expert and Mr. Ronald J. Hedges, the Court's monitor, shall forthwith inspect the State's computer system and any computers of the fifty (50) key custodians that contain information relevant to the action. These inspections are to assess whether any production of information required by the Consent Decree or previous Order of the Court and the October 10, 2007 Order of the Court, has been impaired or compromised or removed. Mr. Tigh and/or his computer expert shall make forensic copies of any computer inspected to ensure the preservation of all existing electronically stored information ("ESI"). The United States Marshal or his designated deputies shall accompany Mr. Tigh, his computer expert and Mr. Hedges to ensure that this Order is fully executed. Mr. Hedges shall provide any necessary guidance to the United States Marshal or his designee in executing this Order. A copy of this Order shall be provided to the United States Marshal.

It is so **ORDERED**.

ENTERED this the 14th day of November, 2007.


WILLIAM J. HAYNES, JR.
United States District Judge