

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:

MERCY HOSPITAL, IOWA CITY, IOWA, *et al.*,
Debtors.

)
) Chapter 11
)
) Case No. 23-00623 (TJC)
)
) Jointly Administered
)
)
)

**ORDER GRANTING MOTION OF THE TRUST OVERSIGHT COMMITTEE
REQUIRING MERCYONE TO PRODUCE RECORDS AND SUBMIT TO
EXAMINATION PURSUANT TO BANKRUPTCY RULE 2004**

The matter before the Court is the *Trust Oversight Committee's Motion for Entry of Order Requiring MercyOne to Produce Records and Submit to Examination Pursuant to Bankruptcy Rule 2004* (the "Motion") filed by Mercy Hospital Liquidation Trust Oversight Committee as designee of the Liquidation Trustee (the "OC");¹ and the Court having found it has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that venue in this district is proper pursuant to 28 U.S.C. § 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor, its creditors, and other parties in interest; and the Court having found that the OC provided adequate and appropriate notice of the Motion under the circumstances and that no other or further notice is required; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. The Motion is GRANTED as set forth herein.

¹ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Motion or Document Requests, as applicable.

2. The OC is authorized, pursuant to Bankruptcy Rules 2004 and 9016, to issue a subpoena to MercyOne for the production of the documents and communications listed on Exhibit B of the Motion (the “Document Requests”). The OC and MercyOne have reached the following agreements with respect to the individual requests set forth in Exhibit B:

- a. Request No. 1: The parties have agreed that MercyOne will produce organizational charts showing its parent companies for the time period beginning May 1, 2017 and ending April 30, 2023.
- b. Request No. 2: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by² Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending December 31, 2019 that are responsive to any of the following search terms:
 - “First Amend!” AND affiliat! AND MIC
 - “First Amend!” AND affiliat! AND “Mercy Hospital”³
 - “First Amend!” AND affiliat! AND “Iowa City”
 - Exten! AND affiliat! AND MIC
 - Exten! AND affiliat! AND “Mercy Hospital”
 - Exten! AND affiliat! AND “Iowa City”

² The parties have agreed that MercyOne is not presently searching for documents held by custodian Heather Campbell. The OC has reserved the right to seek documents responsive to certain requests and held by custodian Heather Campbell at a later date. This does not exempt MercyOne from producing non-privileged emails sent to or received by Heather Campbell that are located within custodian files for other agreed-upon custodians.

³ As agreed by the OC and MercyOne, each time the term “Mercy Hospital” is used herein in the search terms connected to each Request, MercyOne may exclude documents and communications that are responsive to the term “Mercy Hospital” but relate solely to another of MercyOne’s hospitals or clinics other than Mercy Hospital, Iowa City, Iowa.

- c. Request No. 3: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:
- “Strategic Council” AND MIC
 - “Strategic Council” AND “Mercy Hospital”
 - “Strategic Council” AND “Iowa City”
- d. Request No. 4: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search term: “liaison.”
- e. Request No. 5: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search term:
- “turnaround manage!”
- f. Request No. 6: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave

Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- Allscript!
- Alscript!
- Alltera!
- Allterra!
- Altera!
- Alterra!

g. Request No. 7: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- (Performance /s Target!) AND MIC
- (Performance /s Target!) AND “Mercy Hospital”
- (Performance /s Target!) AND “Iowa City”

h. Request No. 8: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- (Affiliation /s Goal!) AND MIC
- (Affiliation /s Goal!) AND “Mercy Hospital”
- (Affiliation /s Goal!) AND “Iowa City”

- i. Request No. 9: The parties have agreed that MercyOne will produce all insurance policies and other documents responsive to this request and in effect during the time period beginning May 1, 2017 and ending April 30, 2023.
- j. Request No. 10: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:
 - “responsibility program!” AND MIC
 - “responsibility program!” AND “Mercy Hospital”
 - “responsibility program!” AND “Iowa City”
- k. Request No. 11: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that refer to Management Support provided by MercyOne to the Debtors.
- l. Request No. 12: The parties have agreed that MercyOne will produce the Retention Agreement it entered with the Dentons Davis Brown firm for the benefit of Mercy Iowa City.
- m. Request No. 13: The parties have agreed that MercyOne will produce the

Retention Agreement it entered with the Dentons Davis Brown firm for the benefit of Mercy Iowa City.

- n. Request No. 14: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- telehealth AND MIC
- telehealth AND “Mercy Hospital”
- telehealth AND “Iowa City”

- o. Request No. 15: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- “physician recruiter” AND MIC
- “physician recruiter” AND “Mercy Hospital”
- “physician recruiter” AND “Iowa City”

- p. Request No. 16: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April

30, 2023 that are responsive to the following search terms:

- “CHI GPO” AND MIC
- “CHI GPO” AND “Mercy Hospital”
- “CHI GPO” AND “Iowa City”
- Premier AND MIC
- Premier AND “Mercy Hospital”
- Premier AND “Iowa City”

q. Request No. 17: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to CHI or received by CHI by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- MIC
- Mercy Hospital
- Iowa City

r. Request No. 18: MercyOne will produce all non-privileged documents and communications sent to Trinity or received by Trinity by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- MIC
- Mercy Hospital
- Iowa City

s. Request No. 19: The OC is not pursuing this request at this time.

t. Request No. 20: MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack

Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning January 1, 2023 and ending June 30, 2023 that are responsive to the following search terms:

- MIC
- Mercy Hospital
- Iowa City

- u. Request No. 21: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, receive, or created during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to this request and were not sent to a mercycic.org domain email address.
- v. Request No. 22: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, receive, or created during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to this request and were not sent to a mercycic.org domain email address.
- w. Request No. 23: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, receive, or created during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to this request and were not sent to a mercycic.org domain email address.
- x. Request No. 24: The OC is not pursuing this request at this time.
- y. Request No. 25: The parties have agreed that MercyOne will produce all

non-privileged documents and communications sent, received, created, or otherwise transmitted by or to Jeff Rooney during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- MIC
- “Mercy Hospital”
- “Iowa City”

z. Request No. 26: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, received, created, or otherwise transmitted by or to Sean Williams during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- MIC
- “Mercy Hospital”
- “Iowa City”

aa. Request No. 27: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, received, created, or otherwise transmitted by or to Michael Trachta during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- MIC
- “Mercy Hospital”
- “Iowa City”

bb. Request No. 28: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, received, created, or otherwise transmitted by or to Douglas Davenport during the time period

beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- MIC
- “Mercy Hospital”
- “Iowa City”

cc. Request No. 29: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, received, created, or otherwise transmitted by or to Michael Heinrich during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to to the following search terms:

- MIC
- “Mercy Hospital”
- “Iowa City”

dd. Request No. 30: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent, received, created, or otherwise transmitted by or to Shane Cerone during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to this request and to the following search terms:

- MIC
- “Mercy Hospital”
- “Iowa City”

ee. Request No. 31: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April

30, 2023 that are responsive to the following search terms:

- “H2C” AND MIC
- “H2C” AND “Mercy Hospital”
- “H2C” AND “Iowa City”

ff. Request No. 32: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning August 1, 2020 and ending June 1, 2022 that are responsive to the following search terms:

- RFP AND MIC
- RFP AND “Mercy Hospital”
- RFP AND “Iowa City”
- (Request! /3 propos!) AND MIC
- (Request! /3 propos!) AND “Mercy Hospital”
- (Request! /3 propos!) AND “Iowa City”

gg. Request No. 33: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- “University of Iowa” AND MIC AND buy!
- “University of Iowa” AND MIC AND merge!
- “University of Iowa” AND MIC AND acqui!
- “University of Iowa” AND “Mercy Hospital” AND buy!
- “University of Iowa” AND “Mercy Hospital” AND merge!
- “University of Iowa” AND “Mercy Hospital” AND acqui!
- “University of Iowa” AND “Iowa City” AND buy!
- “University of Iowa” AND “Iowa City” AND merge!

- “University of Iowa” AND “Iowa City” AND acqui!
- “UIHC” AND MIC AND buy!
- “UIHC” AND MIC AND merge!
- “UIHC” AND MIC AND acqui!
- “UIHC” AND “Mercy Hospital” AND buy!
- “UIHC” AND “Mercy Hospital” AND merge!
- “UIHC” AND “Mercy Hospital” AND acqui!
- “UIHC” AND “Iowa City” AND buy!
- “UIHC” AND “Iowa City” AND merge!
- “UIHC” AND “Iowa City” AND acqui!
- “U of I” AND MIC AND buy!
- “U of I” AND MIC AND merge!
- “U of I” AND MIC AND acqui!
- “U of I” AND “Mercy Hospital” AND buy!
- “U of I” AND “Mercy Hospital” AND merge!
- “U of I” AND “Mercy Hospital” AND acqui!
- “U of I” AND “Iowa City” AND buy!
- “U of I” AND “Iowa City” AND merge!
- “U of I” AND “Iowa City” AND acqui!

hh. Request No. 34: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 1, 2018 that are responsive to the following search terms:

- (Sean /3 Williams) AND MIC AND candida!
- (Sean /3 Williams) AND MIC AND hire!
- (Sean /3 Williams) AND MIC AND hiring
- (Sean /3 Williams) AND MIC AND recruit!
- (Sean /3 Williams) AND “Mercy Hospital” AND candida!
- (Sean /3 Williams) AND “Mercy Hospital” AND hire!
- (Sean /3 Williams) AND “Mercy Hospital” AND hiring
- (Sean /3 Williams) AND “Mercy Hospital” AND recruit!
- (Sean /3 Williams) AND “Iowa City” AND candida!
- (Sean /3 Williams) AND “Iowa City” AND hire!
- (Sean /3 Williams) AND “Iowa City” AND hiring
- (Sean /3 Williams) AND “Iowa City” AND recruit!

ii. Request No. 35: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 1, 2018 that are responsive to the following search terms:

- (Sean /3 Williams) AND MIC AND candida!
- (Sean /3 Williams) AND MIC AND hire!
- (Sean /3 Williams) AND MIC AND hiring
- (Sean /3 Williams) AND MIC AND recruit!
- (Sean /3 Williams) AND “Mercy Hospital” AND candida!
- (Sean /3 Williams) AND “Mercy Hospital” AND hire!
- (Sean /3 Williams) AND “Mercy Hospital” AND hiring
- (Sean /3 Williams) AND “Mercy Hospital” AND recruit!
- (Sean /3 Williams) AND “Iowa City” AND candida!
- (Sean /3 Williams) AND “Iowa City” AND hire!
- (Sean /3 Williams) AND “Iowa City” AND hiring
- (Sean /3 Williams) AND “Iowa City” AND recruit!

jj. Request No. 36: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 1, 2018 that are responsive to the following search terms:

- CEO AND MIC AND candida!
- CEO AND MIC AND hire!
- CEO AND MIC AND hiring
- CEO AND MIC AND recruit!
- CEO AND “Mercy Hospital” AND candida!
- CEO AND “Mercy Hospital” AND hire!
- CEO AND “Mercy Hospital” AND hiring
- CEO AND “Mercy Hospital” AND recruit!

- CEO AND “Iowa City” AND candida!
- CEO AND “Iowa City” AND hire!
- CEO AND “Iowa City” AND hiring
- CEO AND “Iowa City” AND recruit!
- “chief executive officer” AND MIC AND candida!
- “chief executive officer” AND MIC AND hire!
- “chief executive officer” AND MIC AND hiring
- “chief executive officer” AND MIC AND recruit!
- “chief executive officer” AND “Mercy Hospital” AND candida!
- “chief executive officer” AND “Mercy Hospital” AND hire!
- “chief executive officer” AND “Mercy Hospital” AND hiring
- “chief executive officer” AND “Mercy Hospital” AND recruit!
- “chief executive officer” AND “Iowa City” AND candida!
- “chief executive officer” AND “Iowa City” AND hire!
- “chief executive officer” AND “Iowa City” AND hiring
- “chief executive officer” AND “Iowa City” AND recruit!

kk. Request No. 37: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning May 1, 2017 and ending April 1, 2018 that are responsive to the following search terms:

- CEO AND MIC AND candida!
- CEO AND MIC AND hire!
- CEO AND MIC AND hiring
- CEO AND MIC AND recruit!
- CEO AND “Mercy Hospital” AND candida!
- CEO AND “Mercy Hospital” AND hire!
- CEO AND “Mercy Hospital” AND hiring
- CEO AND “Mercy Hospital” AND recruit!
- CEO AND “Iowa City” AND candida!
- CEO AND “Iowa City” AND hire!
- CEO AND “Iowa City” AND hiring
- CEO AND “Iowa City” AND recruit!
- “chief executive officer” AND MIC AND candida!
- “chief executive officer” AND MIC AND hire!
- “chief executive officer” AND MIC AND hiring

- “chief executive officer” AND MIC AND recruit!
- “chief executive officer” AND “Mercy Hospital” AND candida!
- “chief executive officer” AND “Mercy Hospital” AND hire!
- “chief executive officer” AND “Mercy Hospital” AND hiring
- “chief executive officer” AND “Mercy Hospital” AND recruit!
- “chief executive officer” AND “Iowa City” AND candida!
- “chief executive officer” AND “Iowa City” AND hire!
- “chief executive officer” AND “Iowa City” AND hiring
- “chief executive officer” AND “Iowa City” AND recruit!

- ll. Request No. 38: The parties have agreed that MercyOne will produce all performance-related documents and communications from Sean Williams’ MercyOne employee personnel file, including, but not limited to, any performance improvement plan.
- mm. Request No. 39: The parties have agreed that MercyOne will produce all performance-related documents and communications from Sean Williams’ MercyOne employee personnel file created between May 1, 2017 and April 30, 2023.
- nn. Request No. 40: The parties have agreed that MercyOne will produce all performance-related documents and communications from Sean Williams’ MercyOne employee personnel file, including, but not limited to, any that refer or relate to performance evaluations of Sean Williams completed by any Person affiliated with MIC.
- oo. Request No. 41: MercyOne has objected in full to this request, and the Court has overruled that objection. MercyOne shall produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the

time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to this request.

pp. Request No. 42: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning January 1, 2021 and ending September 1, 2021 that are responsive to the following search terms:

- Trachta AND MIC AND candida!
- Trachta AND MIC AND hire!
- Trachta AND MIC AND hiring
- Trachta AND MIC AND recruit!
- Trachta AND “Mercy Hospital” AND candida!
- Trachta AND “Mercy Hospital” AND hire!
- Trachta AND “Mercy Hospital” AND hiring
- Trachta AND “Mercy Hospital” AND recruit!
- Trachta AND “Iowa City” AND candida!
- Trachta AND “Iowa City” AND hire!
- Trachta AND “Iowa City” AND hiring
- Trachta AND “Iowa City” AND recruit!

qq. Request No. 43: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning January 1, 2021 and ending September 1, 2021 that are responsive to the following search terms:

- Trachta AND MIC AND candida!
- Trachta AND MIC AND hire!
- Trachta AND MIC AND hiring
- Trachta AND MIC AND recruit!

- Trachta AND “Mercy Hospital” AND candida!
- Trachta AND “Mercy Hospital” AND hire!
- Trachta AND “Mercy Hospital” AND hiring
- Trachta AND “Mercy Hospital” AND recruit!
- Trachta AND “Iowa City” AND candida!
- Trachta AND “Iowa City” AND hire!
- Trachta AND “Iowa City” AND hiring
- Trachta AND “Iowa City” AND recruit!

rr. Request No. 44: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning January 1, 2021 and ending September 1, 2021 that are responsive to the following search terms:

- CEO AND MIC AND candida!
- CEO AND MIC AND hire!
- CEO AND MIC AND hiring
- CEO AND MIC AND recruit!
- CEO AND “Mercy Hospital” AND candida!
- CEO AND “Mercy Hospital” AND hire!
- CEO AND “Mercy Hospital” AND hiring
- CEO AND “Mercy Hospital” AND recruit!
- CEO AND “Iowa City” AND candida!
- CEO AND “Iowa City” AND hire!
- CEO AND “Iowa City” AND hiring
- CEO AND “Iowa City” AND recruit!
- “chief executive officer” AND MIC AND candida!
- “chief executive officer” AND MIC AND hire!
- “chief executive officer” AND MIC AND hiring
- “chief executive officer” AND MIC AND recruit!
- “chief executive officer” AND “Mercy Hospital” AND candida!
- “chief executive officer” AND “Mercy Hospital” AND hire!
- “chief executive officer” AND “Mercy Hospital” AND hiring
- “chief executive officer” AND “Mercy Hospital” AND recruit!
- “chief executive officer” AND “Iowa City” AND candida!
- “chief executive officer” AND “Iowa City” AND hire!
- “chief executive officer” AND “Iowa City” AND hiring

- “chief executive officer” AND “Iowa City” AND recruit!

ss. Request No. 45: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning January 1, 2021 and ending September 1, 2021 that are responsive to the following search terms:

- CEO AND MIC AND candida!
- CEO AND MIC AND hire!
- CEO AND MIC AND hiring
- CEO AND MIC AND recruit!
- CEO AND “Mercy Hospital” AND candida!
- CEO AND “Mercy Hospital” AND hire!
- CEO AND “Mercy Hospital” AND hiring
- CEO AND “Mercy Hospital” AND recruit!
- CEO AND “Iowa City” AND candida!
- CEO AND “Iowa City” AND hire!
- CEO AND “Iowa City” AND hiring
- CEO AND “Iowa City” AND recruit!
- “chief executive officer” AND MIC AND candida!
- “chief executive officer” AND MIC AND hire!
- “chief executive officer” AND MIC AND hiring
- “chief executive officer” AND MIC AND recruit!
- “chief executive officer” AND “Mercy Hospital” AND candida!
- “chief executive officer” AND “Mercy Hospital” AND hire!
- “chief executive officer” AND “Mercy Hospital” AND hiring
- “chief executive officer” AND “Mercy Hospital” AND recruit!
- “chief executive officer” AND “Iowa City” AND candida!
- “chief executive officer” AND “Iowa City” AND hire!
- “chief executive officer” AND “Iowa City” AND hiring
- “chief executive officer” AND “Iowa City” AND recruit!

tt. Request No. 46: The parties have agreed that MercyOne will produce all performance-related documents and communications from Mike Trachta’s MercyOne employee personnel file, including, but not limited to, any

performance improvement plan.

- uu. Request No. 47: The parties have agreed that MercyOne will produce all performance-related documents and communications from Mike Trachta's MercyOne employee personnel file created between May 1, 2017 and April 30, 2023,
- vv. Request No. 48: The parties have agreed that MercyOne will produce all performance-related documents and communications from Mike Trachta's MercyOne employee personnel file including, but not limited to, any that refer or relate to performance evaluations of Mike Trachta completed by any Person affiliated with MIC
- ww. Request No. 49: MercyOne has objected in full to this request, and the Court has overruled that objection. MercyOne shall produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning March 1, 2021 and ending September 1, 2021 that are responsive to this request.
- xx. Request No. 50: MercyOne has objected in full to this request, and the Court has overruled that objection. MercyOne shall produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, or Jodie Roettger during the time period beginning September 1, 2021 and ending April 30, 2023 that

are responsive to this request.

yy. Request No. 51: The OC is not pursuing this request at this time.

zz. Request No. 52: The parties have agreed that MercyOne will produce all performance-related documents and communications from the personnel files of all individuals employed by MercyOne who served as officers of Mercy Iowa City.

aaa. Request No. 53: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, Jodie Roettger, or Jackie Luecht during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- “Dawna” AND MIC
- “Dawna” AND “Mercy Hospital”
- “Dawna” AND “Iowa City”

bbb. Request No. 54: The parties have agreed that MercyOne will produce all non-privileged documents and communications sent to or received by Dave Vellinga, Bob Ritz, Jack Dunsenberry, Jeff Rooney, Douglas Davenport, Sean Williams, Michael Trachta, Michael Wegner, Rob Heen, Jodie Roettger, or Jackie Luecht during the time period beginning May 1, 2017 and ending April 30, 2023 that are responsive to the following search terms:

- “Andronowitz” AND MIC
- “Andronowitz” AND “Mercy Hospital”
- “Andronowitz” AND “Iowa City”

3. MercyOne shall produce all documents and communications responsive to the

Document Requests on a rolling basis to the OC, pursuant to the ESI Protocol set forth in the Document Requests, with the production completed no later than Monday, May 12, 2025.

4. To the extent that MercyOne asserts privilege over any documents or communications responsive to the Document Requests, it shall produce a privilege log to the OC no later than Monday, May 12, 2025.
5. The OC is authorized, pursuant to Bankruptcy Rules 2004 and 9016, to issue subpoenas to testify to MercyOne, Robert Ritz, and Michael Trachta to testify on matters related to MIC and the Debtors at such time and place set forth on the subpoena (unless otherwise agreed in writing by the parties).
6. The foregoing is without prejudice to the OC's right to seek additional discovery, including any additional documents or depositions, under Bankruptcy Rule 2004 and applicable law, based on any information that may be revealed as a result of the information provided pursuant to this Order or otherwise.
7. Notwithstanding any applicability of any Bankruptcy Rule, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
8. The OC has consented to the relief in this Order and is authorized to take all actions, and to execute all documents, necessary or appropriate, to effectuate the relief granted in this Order in accordance with the Motion.
9. The Court retains exclusive jurisdiction to hear and determine any and all disputes related to or arising from the implementation, interpretation, and enforcement of this Order.

Dated and entered this 25th day of March, 2025.



Honorable Thad J. Collins, Chief Judge

Prepared and Submitted By:

NYEMASTER GOODE, P.C.
Roy Leaf, AT0014486
625 First Street SE, Suite 400
Cedar Rapids, IA 52401-2030
Telephone: (319) 286-7002
Facsimile: (319) 286-7050
Email: rleaf@nyemaster.com

APPROVED AS TO FORM AND CONTENT:

/s/ David Goroff
David Goroff
Counsel to Mercy Health Network, Inc.