

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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FRANK J. LAWRENCE, JR.,	)	
	)	
Plaintiff,	)	Case No. 4:03-cv-20
	)	
v.	)	Honorable David W. McKeague
	)	
DIANE VAN AKEN, et al.,	)	
	)	
Defendants.	)	<b><u>DISCOVERY ORDER</u></b>
	)	

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In accordance with the opinion issued this date:

IT IS ORDERED that the motion of third party Michigan Judicial Tenure Commission to quash subpoena and for protective order (docket # 98) be and hereby is GRANTED IN PART AND DENIED IN PART as follows:

A. The assertion by the Judicial Tenure Commission of a blanket privilege protective all subpoenaed documents is OVERRULED.

B. The assertion by the Judicial Tenure Commission of the deliberative process privilege protecting documents reflecting the deliberative and decisional processes of the agency is SUSTAINED.

C. The Judicial Tenure Commission shall produce for inspection and copying by plaintiff all memoranda of interview and other factual materials generated in investigation no. 02-14077 reflecting communications between the Honorable

Edward Avadenka and Diane VanAken, Nicole Armbrustmacher, or Thomas Ryan  
concerning Frank J. Lawrence, Jr.

IT IS FURTHER ORDERED that all documents, and information contained therein, produced to plaintiff pursuant to this order shall be held by plaintiff in confidence and shall not be divulged to any other person. Plaintiff may use said documents and information for purposes of preparation, litigation, trial and appeal of this action, and for no other purpose. This confidentiality order may be modified by written stipulation between plaintiff and the Judicial Tenure Commission or by order of court, after notice to all parties.

DONE AND ORDERED this 14th day of January, 2004.

/s/ Joseph G. Scoville  
United States Magistrate Judge