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APR 19 2000
BERNARD A. FRIEDMAN
U.S. DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

BARBARA GRUTTER,)
)
Plaintiff,)
)
v.)
)
LEE BOLLINGER, et al.,)
)
Defendants.)
)
and)
)
KIMBERLY JAMES, et al.)
)
Intervening Defendants.)

Civil Action No. 97-75928

Hon. Bernard Friedman

Hon. Virginia Morgan

ORDER REQUIRING THE PRODUCTION OF STUDENT FILES

Upon consideration of the Plaintiff's Motion to Compel and Motion for Relief From Order relating to the production of individual student files relating to students who have enrolled in the Law School, the oppositions thereto filed by Defendants and Defendant-Intervenors, the Reply in support thereof filed by plaintiff, and after a hearing before this Court held on April 12, 2000, this Court finds that in view of the importance of the issues presented in this case, and the need to assure that all parties to this proceeding have access to a full and complete factual record in order to present their cases, and without prejudice to any party's right to contest the relevance of any material produced, plaintiff's motions shall be and hereby are granted. The Court further finds that the privacy interests of individual students may adequately be protected by the redaction of individually identifying information, the protective order in

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EAST DISTRICT
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place in this matter, and the representations of counsel that they will not undertake to match up individual application files with particular names. It is therefore

ORDERED that defendants shall produce to the plaintiff the application files, and materials relating thereto, that are the subject of the plaintiff's motion; and it is further

ORDERED that defendants may redact from such files any and all personally identifying information, consistent with the defendants' practice with respect to the application files of those students who have not enrolled; and it is further


ORDERED that defendants may designate any such materials produced in response to this order as "Confidential Information," subject to the terms of the Stipulation and Protective Order entered by this Court on May 28, 1998; and it is further

ORDERED that the parties may negotiate, and if necessary seek leave of the Court with respect to, whether any amendment to the May 28, 1998 Stipulation and Protective Order is necessary and appropriate regarding Confidential Information produced in response to this Order, and it is further

ORDERED that, pursuant to the Federal Educational Rights and Privacy Act, 20 U.S.C. § 1232g(b)(2)(B), defendants' compliance with the terms of this Order, or any subsequent Order relating to the production of applicant files, shall not be construed as a violation of FERPA; and it is further


ORDERED that defendants shall provide the individual students whose files are to be produced in compliance with this Order with written notice, no less than ten business days before the production of the files. Such notice may be provided by e-mail.


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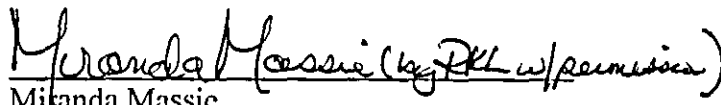

Hon. Bernard Friedman
UNITED STATES DISTRICT JUDGE

Dated: April 18, 2000

Agreed as to form:


Leonard Nichoff
Counsel for the Defendants


Kirk O. Kolbo (by PPL w/permission)
Counsel for the Plaintiff


Miranda Massie (by PPL w/permission)
Counsel for the Intervening-Defendant