

STATE OF MICHIGAN
IN THE 6th CIRCUIT COURT
FOR THE COUNTY OF OAKLAND

RSV MEDICAL, PLLC, a Michigan professional limited liability company,

Plaintiff,

2025 -219400 -CB
Hon. Victoria Valentine

v.

TRANSCEND COMPANY, INC., a Michigan corporation,
Defendant.

BLOOMFIELD LEGAL, PLC
Catrina Farrugia (P70480)
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THE PRIVATE FIRM
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**ORDER AFTER HEARING ON PLAINTIFF'S MOTION FOR RECEIVER,
RESTRAINING ORDER AS TO PHI, AND FOR TRANSFER OF PHARMACY
PORTALS**

At a session of court held in Oakland County,
Michigan, on 1/13/2026.

Present: VICTORIA A VALENTINE
Circuit Court Judge

THIS MATTER having come to the Court's attention upon the motions of Plaintiff, Defendant having filed responses thereto, the Court having heard oral argument of the parties, and the Court being otherwise advised in the premise;

IT IS HEREBY ORDERED that for the reasons stated on the record:

1. Defendant shall mean Transcend Company, Inc., and its officers, agents, and employees (collectively "Defendant").
2. Protected Health Information shall mean "*individually identifiable health information*" held or transmitted by covered entity or its business associate in any form or media, whether

electronic, paper, or oral. The Privacy Rule calls this information "protected health information (PHI)." "Individually identifiable health information" is information, including demographic data, that relates to:

- the individual's past, present or future physical or mental health or condition,
- the provision of health care to the individual, or
- the past, present, or future payment for the provision of health care to the individual,

and that identifies the individual or for which there is a reasonable basis to believe it can be used to identify the individual. Individually identifiable health information includes many common identifiers (e.g., name, address, birth date, Social Security Number).

3. Patient shall mean any person Dr. Veyna or RSV staff has treated in any matter including but not limited to any person or individual who has received a medical evaluation, consultation, diagnosis, treatment, prescription, or other professional care services whether directly or through the Physician's practice regardless of the duration or frequency of the treatment relationship, whether the services were provided in person or via telehealth, whether the services were paid for privately or through insurance, and whether the individual is currently under active care.
4. Defendant shall not release, access, or use Plaintiff's patient Protected Health Information (PHI) for any reason or purpose unless authorized by Plaintiff's written instruction. Consistent with this provision, any request by a patient made directly to Transcend for the access to medical records, including the transfer, copy, or other dissemination to a third party shall be sent directly to RSV Medical to be responded to in compliance with State and Federal law.

5. Defendant may send generalized advertisements and solicitations, in accordance with their written policies which have been agreed to by said recipients pursuant to www.transcendcompany.com/legal. The generalized solicitations and advertisements shall not use Plaintiff's PHI.
6. For all pharmacy portals/accounts Defendant shall transfer all RSV patients, specifically the actual existence of a patient in their account or delete that patient from their account, such that those patients are available to be placed in RSV's pharmacy portal/account without further action on the part of RSV. If a pharmacy portal/account allows for a patient to be in more than one account, then Transcend shall not access such data without express written authorization from the patient and shall only access said data **after** RSV's written approval, which shall be consistent with State and Federal law.
7. Plaintiff's motion for the appointment of a receiver is held in abeyance for the reasons stated on the record.
8. Defendant shall post within its internal communication system a copy of this order and this Order shall remain visible to all employees, management, and staff unless or until further order of this court.

IT IS SO ORDERED.

Approved as to form only, notice of entry waived:

/s/ Catrina Farrugia

Catrina Farrugia (P70480)
Attorney for Plaintiff

/s/ Reese Serra with consent

Reese Serra (P74482)
Attorney for Defendant

