

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : No. 03-10,050  
:   
:   
vs. : CRIMINAL  
:   
RICHARD WAYNE ILLES, SR., : Defendant's Motion to  
Defendant : Compel re Dr. Egli

O R D E R

AND NOW, this \_\_\_ day of February 2004, the Court GRANTS the Defendant's motion to compel Dr. Dan Egli to testify in this case. The Court finds that the psychologist privilege does not apply in this instance. At an in camera hearing Dr. Egli testified that he was not giving treatment to any of the parties and did not consider any of them patients. He was hired by Dr. Illes to evaluate what exposure Richie should have to his relationship with Katie, specifically whether Katie should spend the night when Dr. Illes had custody of Richie. Everyone knew that Dr. Egli's report would be supplied to both parties' counsel and he would testify in court if necessary, i.e., if the parties did not amicably resolve the matter.

By The Court,

\_\_\_\_\_  
Kenneth D. Brown, Judge

cc: Michael Dinges, Esquire (DA)  
Kenneth Osokow, Esquire (ADA)  
George Lepley, Esquire  
Craig Miller, Esquire  
Daniel Mathers, Esquire  
Work file  
Gary Weber, Esquire (Lycoming Reporter)

