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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Deborah Eaton,)	No. CV-07-2568-PHX-SMM
)	
Plaintiff,)	ORDER
)	
v.)	
)	
The Basha’s Inc.,)	
)	
Defendant.)	
<hr/>		

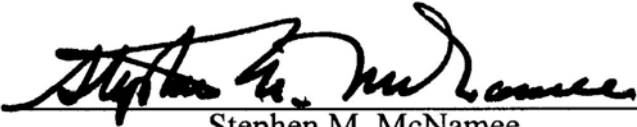
Currently before the Court are briefs submitted by both parties regarding discovery disputes pertaining to Plaintiff’s request to depose Barbara Schroder and Atul Patel, M.D. Having considered the briefs, the Court has scheduled a hearing for **October 9th at 10:a.m.** The parties shall be prepared to address the following:

1. How will deposing Barbara Schroder and Atul Patel, M.D. develop evidence to support a conflict of evidence claim?
2. Was any of the conflict evidence argued or pursued in the course of the administrative proceedings?
3. Is there evidence in the Administrative Record that supports the Plaintiff’s claim that the Defendant’s expert was instructed not to take into account certain of Plaintiff’s conditions? Moreover, explain how Plaintiff’s Exhibit 3 demonstrates that Defendant’s expert was told to “ignore some of Plaintiff’s medical conditions thereby failing to credit the aggregate effect of all Plaintiff’s conditions.” (Doc. 30.)

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4. Be prepared to address additional questions pertaining to all exhibits submitted to the Court.

DATED this 22nd day of September, 2008.



Stephen M. McNamee
United States District Judge