

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

JOHN A. NEAL

PLAINTIFF

v.

No. 4:10CV00325 JLH

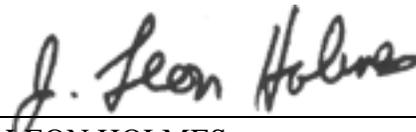
UNION PACIFIC RAILROAD COMPANY

DEFENDANT

ORDER

Union Pacific Railroad Company has filed a motion for an independent medical examination, which John A. Neal opposes. Union Pacific proposes to have Neal examined by Dr. Earl Peeples, an orthopedic surgeon, to determine Neal's current condition. In his complaint, Neal alleges that he has suffered permanent physical impairment as a result of damage caused to his spine and other portions of his body as a result of job assignments while he was employed by Union Pacific. Neal has, therefore, placed his physical condition in controversy. Although Union Pacific obtained an examination by a medical professional in the summer of 2009, Union Pacific has shown good cause for obtaining a current medical examination by an orthopedic surgeon. Therefore, Union Pacific's motion for an independent medical examination is GRANTED. Document #14.

IT IS SO ORDERED this 30th day of March, 2011.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE