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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MICHANN MEADOWS,

 Plaintiff,

 v.

DR. REEVES,

 Defendant.

Case No. 1:11-cv-00257 JLT (PC)

**ORDER AFTER TELEPHONIC
CONFERENCE RE: DISCOVERY
DISPUTE**

At the request of counsel for the plaintiff, the Court held an informal, telephonic conference regarding discovery disputes. After discussion with counsel, the Court **ORDERS:**

1. Counsel **SHALL** work together to obtain the mental health records of the plaintiff. The Court anticipates that Ms. Meadows will cooperate in this process. Ms. Huang **SHALL** provide Mr. Wrosch with a signed release no later than 1/27/17 or notify him that Ms. Meadows will not provide the release. In this event, counsel should immediately seek an informal conference with the Court to resolve whether the Court will issue an order requiring the production of the records notwithstanding Ms. Meadows’ objection;
2. The Court reminds counsel that if Ms. Meadows intends to rely only upon her testimony related to her emotional damages and will not seek to introduce evidence related to any mental health treatment, unless the mental health records reveal information that bears further on

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the is topic, the Court will not be inclined to permit experts as the existence and extent of this injury is within the capabilities of the jury to determine (*See* Fed. R. Evid. 701, 702);

3. In the event the defendant seeks to procure an expert on the medical issues, the Court will be inclined to appoint an impartial expert for the assistance of the trier of fact.

IT IS SO ORDERED.

Dated: January 18, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE