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8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

11 HALONDA NAFF and JARVIS NAFF,  
 12 Plaintiffs,  
 13 v.  
 14 STATE FARM GENERAL INSURANCE  
 15 COMPANY and DOES 1 through 25,  
 16 inclusive,  
 17 Defendants.

Case No. 1:15-cv-00515-JLT

**STIPULATION REGARDING  
 DISCOVERY DISPUTE AND ORDER**

17 AND RELATED COUNTER-CLAIMS

18 Pursuant to Court’s January 15, 2016 Order, Plaintiffs/Counterdefendants HALONDA  
 19 NAFF AND JARVIS NAFF (“NAFFS”) and Defendant/Counterclaimant STATE FARM  
 20 GENERAL INSURANCE COMPANY (“State Farm”) have met and conferred and respectfully  
 21 submit this Stipulation re: Discovery Dispute as a proposed resolution of disputes pertaining to  
 22 certain records subpoenaed by State Farm as follows:

- 23 1. State Farm has issued subpoenas to the following entities seeking discovery pertaining to  
 24 Plaintiff/Cross-Defendant Halonda Naff.  
 25 Bakersfield Memorial Hospital  
 26 420 34th Street  
 27 Bakersfield CA 93301  
 28 (661) 327-4647

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Lifetime Chiropractic  
W. Stuart Tatsuno, D.C.  
1002 Wible Road, Ste. H  
Bakersfield, CA 93304  
(661) 397-1909

Health Information Management  
551 Shanley Court  
Bakersfield, CA 93311  
(661) 632-51768

Pair & Marotta Physical Therapy  
2603 G Street  
Bakersfield, CA 93301  
(661) 634-9440

2. With respect to Plaintiff/Cross-Defendant Jarvis Naff, State Farm has issued the following subpoenas:

Health Information Management  
551 Shanley Court  
Bakersfield, CA 93311  
(661) 632-51768

3. As to each of the subpoenas, Plaintiffs object to the production of records and contend that none of the records are relevant to the pending claims in this action.

4. State Farm submits that the Plaintiffs have put these records at issue, in that the requested records may be relevant to Plaintiffs' claims of emotional distress, and may support alternate causation or contributing factors, other than the claim handling of State Farm, as the source of Plaintiffs' emotional distress, if any.

5. Plaintiffs have proposed that the foregoing records, to the extent they have not already been produced, be produced directly to the Court for *in camera* review. Defendants have agreed, provided the Court is amenable to conducting the review. At this time, the parties do not know the volume of documents responsive to the foregoing subpoenas.

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1 6. In the event the Court finds the records, or any portions therein, should be disclosed, such  
2 records will be produced to the Parties. In the event the Court finds no records that should  
3 be disclosed, the Court will issue an order broadly outlining its findings and indicating that  
4 the subpoenas should be quashed.

5  
6 Dated: January 29, 2016

MARDEROSIAN & COHEN

/s/ Michael G. Marderosian

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8 By: \_\_\_\_\_  
9 Michael G. Marderosian  
10 Heather S. Cohen,  
11 Attorneys for Plaintiffs

12 Dated: January 29, 2016

MCCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

/s/ Gordon M. Park


13  
14 By: \_\_\_\_\_  
15 Gordon M. Park  
16 Todd W. Baxter  
17 Dana B. Denno  
18 Attorneys for STATE FARM GENERAL  
19 INSURANCE COMPANY

**ORDER**

20 Based on the Stipulation of the parties hereto and good cause appearing therefor,

21 IT IS ORDERED that the foregoing records, to the extent they have not already been  
22 produced, will be produced directly to the Court for *in camera* review. In the event the Court  
23 finds the records, or any portions therein, should be disclosed, such records will be produced to the  
24 Parties. In the event the Court finds no records that should be disclosed, the Court will issue an  
25 order broadly outlining its findings and indicating that the subpoenas should be quashed.

26 Dated: January 29, 2016

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The Honorable Jennifer L. Thurston