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14 Guy Rich

15 UNITED STATES DISTRICT COURT  
16 FOR THE EASTERN DISTRICT OF CALIFORNIA

17 MELINDA AVILA; GRETTEL  
18 LORENZO; ALFREDO LORENZO;  
19 and JOSE LORENZO,

20 Plaintiffs,

21 v.

22 STATE OF CALIFORNIA; COUNTY  
23 OF MADERA; RICHARD  
24 GONZALES; PAUL VARNER; GUY  
25 RICH and DOES 3 through 100,  
26 inclusive,

27 Defendants.

Case No. 1:15-cv-00996 JAM-GSA  
Hon. John A. Mendez

**STIPULATION REGARDING  
PLAINTIFF'S INDEPENDENT  
MEDICAL EXAMINATION  
PURSUANT TO F.R.C.P. 35;  
ORDER RE: PLAINTIFF'S  
INDEPENDENT MEDICAL  
EXAMINATION**

IME Date: March 10, 2017

1 IT IS HEREBY STIPULATED by and between Plaintiff MELINDA AVILA  
2 (“Plaintiff”) and Defendants COUNTY OF MADERA, and RICHARD  
3 GONZALES (collectively “Defendants”), by and through their respective counsel,  
4 that Plaintiff will undergo a physical examination pursuant to Rule 35 of the  
5 Federal Rules of Civil Procedure. Said examination shall take place on **March 10,**  
6 **2017** and will be conducted by Dr. Edward Cahill, M.D. commencing at 11:00 a.m.  
7 at the Rascal Creek Physical Therapy located at 3327 M Street, Merced, California,  
8 95348.

9 This examination will be conducted for the purposes of determining the  
10 nature and extend of Plaintiff’s physical injuries and the relationship thereof to the  
11 accident which is the subject of this litigation, and will consist of all necessary and  
12 customary activities required to make such a determination, including but not  
13 limited to medical history, radiographic studies, history of the accident in question,  
14 and physical examination and evaluation. Photographs of Plaintiff’s injuries may  
15 be taken for use at trial.

16 IT IS FURTHER STIPULATED that Defendant will provide Plaintiff a copy  
17 of a detailed written report setting out the history, examinations, findings, including  
18 the results of all tests made, diagnose, prognoses, and conclusions of the examiner,  
19 Dr. Edward Cahill, M.D., within 15 days upon Defendants’ receipt of same.

20  
21 Dated: March 6, 2017

CORNWELL & SAMPLE, LLP

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23 By: /s/ Stephen R. Cornwell  
24 Stephen R. Cornwell  
25 Attorneys for Plaintiffs Melinda Avila,  
26 Gretel Lorenzo, Alfredo Lorenzo, and Jose  
27 Lorenzo  
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Dated: March 7, 2017

COTA COLE LLP

By: /s/ Carolyn J. Frank  
Carolyn J. Frank  
Daniel S. Roberts  
Sean D. De Burgh  
Attorneys for Defendants County of Madera,  
Richard Gonzales, and Guy Rich

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**ORDER**

Pursuant to the parties' March 7, 2017 stipulation, the Court finds good cause to order a Rule 35 examination pursuant to the parties' stipulated terms.

IT IS SO ORDERED.

Dated: March 8, 2017

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE