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9 **Attorneys for Defendant County of Kern**

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

12 **KIM ADAMS, an individual,) Case No.: 1:17-CV-00464-JLT**
13 **)**
14 **Plaintiffs,) STIPULATION FOR MENTAL/PHYSICAL**
15 **v.) EXAMINATION; PROPOSED ORDER**
16 **) (Doc. 41)**
17 **COUNTY OF KERN; KERN COUNTY)**
18 **PROBATION DEPARTMENT; DAVID M.)**
19 **KUGE, an individual; REYES)**
20 **SOBERON, JR., and individual; and)**
21 **DOES 1 through 50, inclusive,)**
22 **Defendants.)**
23 **)**

24 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES through their
25 respective counsel, pursuant to Rules 29 and 35 of the Federal Rules of Civil
26 Procedure as follows:

27 1. Date and Place: Plaintiff, Kim Adams, will produce herself for a mental
28 examination at the request of Defendant County of Kern as follows:

- 29 (a) Date: October 30, 2019
- 30 (b) Time: 9:00 a.m.
- 31 (c) Location: Bakersfield Marriott at the Convention Center
32 Board Room
33 801 Truxtun Avenue
34 Bakersfield, CA 93301

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1 (d) Examiner: Plaintiff shall be examined by Dr. Charles H. Hinkin, Ph.D.,
2 ABPP, board certified in Clinical Neuropsychology.

3 2. Manner, Conditions, Scope and Nature of the Examination: Plaintiff will be
4 seen at the location set forth above by the examining neuropsychologist, who will
5 conduct an examination consisting of: (1) a clinical interview; (2) taking a comprehensive
6 psychiatric history; (3) conducting neuropsychological tests and (4) administering a
7 mental status examination. The duration of the mental examination shall be no more
8 than seven (7) hours exclusive of breaks. Dr. Hinkin will meet with and interview plaintiff
9 in an office or conference room setting. The interview will consist of Dr. Hinkin asking
10 questions and plaintiff providing answers. Dr. Hinkin will take a psychiatric and medical
11 history as well as a childhood/developmental history and social/occupational history from
12 plaintiff, will discuss her social functioning, parental functioning, family psychiatric
13 history, current psychological/social/occupational functioning and will also discuss past
14 experiences which may have contributed to her current mental status and will ask
15 specific questions regarding plaintiff's mental function.

16 (a) Defendant will provide the examining psychologist in advance with copies
17 of all medical records produced to date, and with a transcript of Plaintiff's
18 deposition.

19 (b) The examining neuropsychologist will thoroughly review these medical
20 records and Plaintiff's deposition transcript before the October 30, 2019
21 mental examination.

22 (c) The Plaintiff may record the history gathering portion of the exam and
23 provide this to her counsel.

24 (d) When gathering any history, the examining neuropsychologist shall
25 specifically identify that he is performing a supplemental clinical interview.
26 While conducting the interview the examining neuropsychologist will make
27 a concerted effort to not simply duplicate the existing medical records.
28 However, it needs be recognized that, while overlap exists, an interview

1 conducted as part of a forensic evaluation differs from that conducted in a
2 purely clinical setting. Similarly, even though the general topic of inquiry
3 may be the same, questions posed by an attorney during a deposition are
4 designed to elicit different information than that obtained during a
5 psychodiagnostic interview.

6 (e) When gathering any history, the examining neuropsychologist shall
7 attempt when possible to identify generally which topic he is taking a history
8 of, i.e. "I am now asking questions on the topic of psychiatric history," "I am
9 now asking childhood/developmental history," using this or substantially
10 similar language.

11 If Plaintiff desires, the examining neuropsychologist will record, by audiotape
12 pursuant to CCP §2032.530, the entire examination including testing. Such audio tape
13 of the testing portion of the exam will be directly provided to a neuropsychologist of
14 Plaintiff's counsel's choosing upon request.

15 3. Good cause exists for this examination.

16 4. The costs of this examination, including the fees of the examiner(s), will be
17 borne by the County of Kern.

18 5. If Plaintiff requests a copy of the examination report, County of Kern will
19 supply a truly conformed copy of the report and all other reports of the same condition
20 authored by anyone, without any further demand on the availability of such report(s).

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1 6. The court may issue an order upon the filing of this stipulation without
2 notice or hearing.

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4 Dated: August 28, 2019

GERAGOS & GERAGOS

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6 By: /s/ Noah Geldberg as authorized on 08/28/19
7 Noah Geldberg, Esq.
8 Attorney for Plaintiff
9 Kim Adams

10 Dated: August 28, 2019

MARGO A. RAISON, COUNTY COUNSEL

11 By: /s/ Kathleen S. Rivera
12 Marshall S. Fontes, Deputy
13 Kathleen Rivera, Deputy
14 Attorneys for Defendant County of Kern,
15 County of Kern Probation Dept. and David M.
16 Kuge

17 Dated: August 28, 2019

WEAKLEY & ARENDT

18 By: /s/ Brande Gustafson as authorized on 08/28/19
19 James Weakley, Esq.
20 Brande Gustafson, Esq.
21 Attorney for Defendant
22 Soberon Reyes, Jr.

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ORDER

The parties, through counsel, have submitted a stipulation for the plaintiff in this case. Good cause appearing, the Court **ORDERS** the mental examination of the plaintiff as set forth in the attached stipulation.

IT IS SO ORDERED.

Dated: August 29, 2019

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE