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 and Sandeep Singh

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 8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA-FRESNO**

10 BILLY MOORE and DON LUCAS,

11 Plaintiff,

12 v.

13 SUPERWAY LOGISTICS, INC. and  
 SANDEEP SINGH,

14 Defendants.

Case Number 1:17-CV-01480 DAD-BAM

**JOINT STIPULATION TO CONDUCT  
 INDEPENDENT MEDICAL  
 EXAMINATION OF PLAINTIFF,  
 BILLY MOORE; ORDER**

17 WHEREAS, Plaintiff, BILLY MOORE (“Plaintiff”), and Defendants, SUPERWAY  
 18 LOGISTICS, INC. and SANDEEP SINGH (“Defendants”), are presently engaged in discovery;

19 WHEREAS, the parties agree that Plaintiff, BILLY MOORE, has put his physical  
 20 condition directly at issue;

21 WHEREAS, the parties agree that good cause exists for, and thus Defendants are therefore  
 22 entitled to, a physical examination of Plaintiff, as permitted under Rule 35 of the Federal Rules of  
 23 Civil Procedure;

24 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT THE  
 25 COURT  
 26 MAY ENTER AN ORDER as follows:

- 27 1. Plaintiff agrees to submit to the below described physical examination at the office  
 28 of Kurt V. Miller, M.D., Fresno NeuroBehavioral Associates, 1660 East Herndon, Suite 150,  
 Fresno, CA 93720.

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Joint Stipulation to Conduct Independent  
 Medical Examination of Plaintiff, Billy Moore; Order

WILKINS,  
 DROLSHAGEN &  
 CZESHINSKI LLP  
 6785 N. Willow Ave.  
 Fresno, CA 93710

1 2. The examination will be conducted by Kurt V. Miller, M.D., a licensed physician  
2 in the State of California and a Board Certified Neurologist. A copy of Kurt V. Miller, M.D.'s  
3 CV is attached hereto as "Exhibit A".

4 3. The examination will be a standard physical examination and will inquire into  
5 Plaintiff's health complaints arising from the certain incident, occurrence or transaction at issue,  
6 as well as medical history which is relevant or which may lead to the discovery of admissible  
7 evidence concerning Plaintiff's complaints. No invasive procedures, such as blood or urine  
8 samples will be required. The examination also may require radiographic studies, if necessary.

9 4. The examination will be conducted on July 24, 2019, from 2:45 p.m. to 5:00 p.m.

10 IT IS SO STIPULATED:

11 WILKINS, DROLSHAGEN & CZESHINSKI LLP

12 Dated: May 21, 2019

12 By /s/ Quentin Cedar  
13 Michael J. Czesinski  
14 Quentin Cedar  
15 Attorneys for Defendants,  
16 Superway Logistics, Inc. and Sandeep Singh

17 ZINDA LAW GROUP, PLLC

18 Dated: May 21, 2019

18 By /s/ Joseph Caputo  
19 Joseph Caputo  
20 Alaina Zermeno  
21 Attorneys for Plaintiffs,  
22 Billy Moore and Don Lucas

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27 WILKINS,  
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**ORDER**

Pursuant to the stipulation of the parties and good cause appearing therefor, IT IS HEREBY ORDERED:

1. Plaintiff BILLY MOORE shall submit to a physical examination at the office of Kurt V. Miller, M.D., Fresno NeuroBehavioral Associates, 1660 East Herndon, Suite 150, Fresno, CA 93720;

2. The examination of Plaintiff BILLY MOORE shall be conducted by Kurt V. Miller, M.D., a licensed physician in the State of California and a Board Certified Neurologist;

3. The examination of Plaintiff BILLY MOORE shall be a standard physical examination and will inquire into Plaintiff's health complaints arising from the certain incident, occurrence or transaction at issue in this case, as well as relevant medical history. No invasive procedures such as blood or urine samples will be required. The examination also may require radiographic studies, if necessary; and

4. The examination of Plaintiff BILLY MOORE shall be conducted on July 24, 2019, from 2:45 p.m. to 5:00 p.m.

IT IS SO ORDERED.

Dated: May 23, 2019

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE