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9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

12 TROY GABRIELSON, et al.,  
 13 Plaintiffs,  
 14 vs.  
 15 UNITED STATES POSTAL SERVICE,  
 16 et al.,  
 17 Defendants.

Case No.: 2:09-CV-00538-FCD-KJM

**STIPULATION AND ORDER**

19 Plaintiff ALLAN T. BOWEN and Defendant THE UNITED STATES POSTAL  
 20 SERVICE, of the above-entitled action by and through their attorneys of record, hereby  
 21 stipulate and agree as follows:

- 22 1. Plaintiff ALLAN T. BOWEN has brought suit against the United States Postal  
 23 Service for personal injuries arising out of a motor vehicle accident involving a  
 24 United States Postal Service Vehicle.
- 25 2. Bowen specifically claims that he sustained physical injuries, including but not  
 26 limited to his neck and back.
- 27 3. Plaintiff concedes that he has placed his physical condition at issue in this  
 28 litigation and that good cause exist for an independent medical examination

1 pursuant to Fed. R. Civ. Pro. 35.

2 4. The Notice of Independent Examination is attached as Exhibit "1". The  
3 examination will be taken pursuant to and under the conditions set forth in  
4 Exhibit "1".  
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6 **IT IS SO STIPULATED.**

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8 Date: August 31, 2010

BENJAMIN B. WAGNER  
UNITED STATES ATTORNEY

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11 By: /s/ Jason Ehrlinspiel  
12 Jason Ehrlinspiel  
Assistant United States Attorney

13 Attorneys for Defendants

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16 Date: August 31, 2010 By:

BAR & MUDFORD

/s/ Dugan Barr  
Dugan Barr

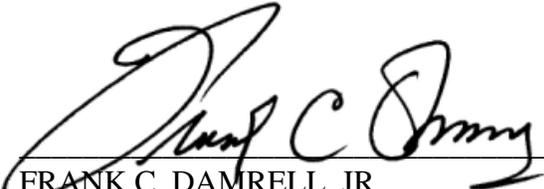
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18 Attorneys for Plaintiff ALLAN T. BOWEN  
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1 **ORDER**

2 Pursuant to the parties stipulation, Plaintiff's physical condition being at issue  
3 and good cause appearing for Plaintiff's submission to a independent medical  
4 examination pursuant to Fed. R. Civ. Pro. 35, the Court hereby orders Plaintiff to submit  
5 to a medical examination under the conditions set forth in the Notice of Independent  
6 Medical Examination attached as Exhibit "1".  
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9 IT IS SO ORDERED.

10 Dated: August 31, 2010

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13 FRANK C. DAMRELL, JR.  
14 UNITED STATES DISTRICT JUDGE  
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