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Attorneys for Plaintiff JENNIFER ZAMORA

14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA

17 JENNIFER ZAMORA,
 18 Plaintiff,

19 v.

20 JANET NAPOLITANO, SECRETARY OF
 21 THE DEPARTMENT OF HOMELAND
 22 SECURITY; GALE ROSSIDES,
 23 ASSISTANT SECRETARY/ACTING
 24 ADMINISTRATOR OF THE
 25 TRANSPORTATION SECURITY
 26 ADMINISTRATION,

Defendants.

Case No.: **09-CV-01292 JAM-EFB**

STIPULATION AND ORDER

1 Plaintiff JENNIFER ZAMORA and Defendant JANET NAPOLITANO, Secretary
2 of the Department of Homeland Security, of the above-entitled action by and through
3 their attorneys of record, hereby stipulate and agree as follows:

- 4 1. Plaintiff JENNIFER ZAMORA has brought suit against the Secretary,
5 asserting claims of sexual harassment and retaliation under Title VII arising
6 out of her employment with the Transportation Security Administration.
7 (“TSA”)
- 8 2. Zamora claims that her supervisor subjected her to sexual harassment during
9 her employment as a TSA security screener at the Sacramento International
10 Airport. Complaint, Docket Entry 1-2. In connection with her allegations,
11 Zamora claims that she “sustained and continues to sustain physical
12 manifestations of stress and anxiety and extreme and severe mental anguish
13 and emotional distress, and was required to employ, and will be required to
14 employ in the future, physicians and surgeons to examine, treat and care for
15 her and did incur, and will in the future incur, medical and incidental
16 expenses.” *Id.* at ¶ 40.
- 17 3. Plaintiff concedes that she has placed her mental condition at issue in this
18 litigation and that good cause exist for an independent medical (psychiatric)
19 examination pursuant to Fed. R. Civ. P. 35.
- 20 4. The Notice of Independent (Psychiatric) Examination is attached as Exhibit “1”.
21 The examination will be taken pursuant to and under the conditions set forth
22 in Exhibit “1”.
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1 IT IS SO STIPULATED.

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3 Date: August 18, 2010

BENJAMIN B. WAGNER
UNITED STATES ATTORNEY

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6 By: /s/ Jason Ehrlinspiel
Jason Ehrlinspiel
Assistant United States Attorney
Attorneys for Defendants

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10 Date: August 18, 2010 By:

/s/ Jennifer S. Gregory
Jennifer S. Gregory
Ellis, Coleman, Poirier, LaVoie,
& Steinheimer LLP
Attorneys for Plaintiff JENNIFER ZAMORA

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14 **ORDER**

15 Pursuant to the parties stipulation, Plaintiff's mental condition being at issue and
16 good cause appearing for Plaintiff's submission to a independent medical examination
17 pursuant to Fed. R. Civ. P. 35, the Court hereby orders Plaintiff to submit to a medical
18 (psychiatric) examination under the conditions set forth in the Notice of Independent
19 Medical (psychiatric) Examination attached as Exhibit "1" to the parties' stipulation and
20 proposed order, Dckt. No. 48.
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23 IT IS SO ORDERED.

24 Dated: August 25, 2010.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE