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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEREMY GILMORE, et al.,

Plaintiffs,

No. CIV S-09-02180 KJM DAD

v.

UNION PACIFIC RAILROAD  
COMPANY, et al.,

Defendants.

ORDER

\_\_\_\_\_ /  
This case came before the court on February 11, 2011, for hearing on defendant Union Pacific Railroad Company’s motion to compel a physical examination of plaintiff Jeremy Gilmore (Doc. No. 155). Larry Lockshin, Esq. appeared for plaintiffs. Naisha Covarrubias, Esq. appeared for defendant Union Pacific Railroad Company.

The parties’ Joint Discovery Stipulation (Doc. No. 138) was considered, along with the parties’ arguments at the hearing. For the reasons set forth in detail on the record, defendant’s motion to compel a physical examination of plaintiff Jeremy Gilmore (Doc. No. 155) is granted in part and denied in part. Plaintiff shall submit to an examination by Steven Feinberg, M.D. on February 16, 2011, at 1:00 p.m. in Dr. Feinberg’s office. The examination shall consist of a physical examination only and shall not exceed two hours. Copies of any forms to be completed by plaintiff Jeremy Gilmore for Dr. Feinberg are to be provided to plaintiff’s counsel

1 by February 14, 2011, but the forms are to be completed by plaintiff Jeremy Gilmore at Dr.  
2 Feinberg's office. Advanced payment for plaintiff's costs is to be delivered by February 14,  
3 2011. Defendant's rebuttal report shall be served on plaintiff's counsel by March 1, 2011. Dr.  
4 Feinberg is subject to deposition by plaintiff at a time to be arranged by counsel.

5 IT IS SO ORDERED.

6 DATED: February 11, 2011.

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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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