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8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
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11	LESLIE ANN CHISSIE,)	Case No. 2:09-CV-02915-MCE-EFB
12	Plaintiff,)	
13	v.)	ORDER GRANTING DEFENDANTS' EX
14	WINCO FOODS, LLC; JOEL CLARK,)	PARTE APPLICATION FOR AN ORDER
15	and DOES 1 through 25, Inclusive,)	MODIFYING THE COURT'S PRETRIAL
16	Defendants.)	SCHEDULING ORDER AND COMPELLING
17)	AN INDEPENDENT MEDICAL
)	EXAMINATION
)	Ex Parte Application Filed Concurrently
)	Herewith

18 Defendants WinCo Foods, LLC's and Joel Clark applied, *ex parte*, for an Order
 19 Modifying The Court's Pretrial Scheduling Order And Compelling An Independent Medical
 20 Examination. Having reviewed the papers submitted in support of and in opposition to
 21 defendants' Application, and the authorities and argument of counsel thereon, and good cause
 22 appearing therefore,

23 1. Defendants' *Ex Parte* Application For An Order Modifying The Court's Pretrial
 24 Scheduling Order And Compelling An Independent Medical Examination is **GRANTED** as
 25 follows:

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1 A. Plaintiff Leslie Ann Chissie is ordered to submit to an Independent
2 Medical Examination relating to her mental condition. The examination will take place by
3 **August 4, 2011** and shall be completed within one day. Defendants will be allowed until
4 **August 11, 2011** to file their rebuttal expert witness disclosures. The examination will take
5 place at a place in Sacramento County that is mutually agreeable to the parties, and will start at a
6 time mutually agreeable between the parties.

7 B The mental examination will be conducted by Dr. Ronald Roberts, Ph.D,
8 ABPP, of Forensic Psychiatric Associates Medical Corporation.

9 C. The examination of Plaintiff will consist only of the following diagnostic
10 tests to assess the extent of plaintiff's emotional damages and the causes of any emotional
11 damages: Minnesota Multiphasic Personality Inventor-2 (MMPI-2); Wahler Physical Symptoms
12 Inventory Rorschach Inkblot Test Thematic Apperception Test (TAT); and Personality
13 Assessment Inventory (PAI). If Dr. Roberts determines that any further examination is
14 necessary, he will contact defense counsel to inform defense counsel of the test, the scope of the
15 test, and the need of the test. Defense counsel will meet and confer with plaintiff's counsel
16 regarding any proposed additional testing.

17 D. The mental examination shall also consist of an oral interview session
18 involving questions and answers to further assess the extent of plaintiff's emotional damages,
19 and the causes of any emotional damages.

20 E. Neither plaintiff's nor defendants' counsel shall attend the mental
21 examination.

22 F. Plaintiff is not to be questioned concerning her conversations with her
23 counsel, Charleton Pearse, nor any person affiliated with his counsel or his counsel's office,
24 including but not limited to Lenahan, Lee, Slater & Pearse, LLP.

25 G. Plaintiff shall be entitled to take reasonable breaks during the examination
26 process, including, but not limited to a lunch break, rest breaks and bathroom breaks.

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