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SOUTHWEST AIRLINES CO.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

CHARLES WOOD,	)	
	)	<b>14-1421 KJM CKD</b>
Plaintiff,	)	
	)	
v.	)	<b>STIPULATION AND ORDER</b>
	)	<b>REGARDING NEUROLOGICAL</b>
SOUTHWEST AIRLINES CO., and DOES 1	)	<b>EXAMINATION OF PLAINTIFF</b>
through 25, inclusive,	)	
	)	
Defendants.	)	
_____	)	

The parties in the above-captioned matter hereby stipulate as follows:

1. Defendant Southwest Airlines Co. has requested a neurological examination of plaintiff Charles Wood (“Plaintiff”). The scope of the examination will be to evaluate Plaintiff’s claim of an alleged concussion injury suffered in an incident on May 2, 2012, as alleged in Plaintiff’s complaint and deposition testimony.

2. The examination will be conducted by Eric Van Ostrand, M.D., a board certified

neurologist who is licensed to practice in California, and is qualified to conduct the requested examination.

3. The estimated time for the examination is 2 hours.

4. The examination will be a standard neurological examination and will include the following components: taking a medical history; performing a physical examination which may include activities such as the examination of sensory responses, motor reflexes and gait; and examining Plaintiff's language skills, memory, visual/spatial abilities and concentration.

5. The examination is scheduled to take place on April 20, 2015 at 11:30 a.m. at the following location: 1111 Howe avenue, Suite 240, Sacramento, CA 95825.

6. Plaintiff will be charged a cancellation fee of \$625 for a failure to appear for the examination, or for a late cancellation with less than five days notice (excluding holidays and weekends).

7. The provisions of Federal Rules of Civil Procedure, Rule 35 subdivision (b) shall apply and are incorporated by reference in this stipulation.

8. The examining doctor's report will be in writing and will set out in detail the examiner's findings, including diagnosis, conclusions, and the results of any tests given to or taken by the Plaintiff.

9. Within a reasonable time following the examination, not to exceed 60 days, Defendant shall deliver a copy of the examiner's report, together with like reports of all earlier examinations of the same condition and all medical record reviews prepared by, relied upon, or reviewed by the examining doctor with regard to the Plaintiff and Plaintiff's condition. If the examiner's written report is not provided, the court may exclude the examiner's report and testimony at trial.

10. The examining doctor shall be subject to deposition in this proceeding regarding his retention, examination, document review, and findings.

IT IS SO STIPULATED.

Dated: March 6, 2015

ASHTON & PRICE, LLP

By:           /s/ Edward Schade  
EDWARD SCHADE  
Attorneys for Plaintiff  
CHARLES WOOD

Dated: March 6, 2015

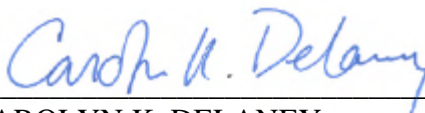
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By:           /s/ Rebekka Martorano  
REBEKKA R. MARTORANO  
Attorneys for Defendant  
SOUTHWEST AIRLINES CO.

**ORDER**

IT IS HEREBY ORDERED that the Stipulation Regarding Neurological Examination of Plaintiff is approved.

Dated: March 12, 2015

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE