

1 LOUIS H. DE HAAS, SBN 39579
2 **LA FOLLETTE, JOHNSON,**
3 **DE HAAS, FESLER & AMES**
865 South Figueroa Street, Suite 3200
4 Los Angeles, California 90017-5431
Phone: (213) 426-3600
Facsimile: (213) 426-3650

5 BARRY VOGEL, STATE BAR NO. 108640
LARRY THORNTON, STATE BAR NO. 232265
6 **LA FOLLETTE, JOHNSON,**
7 **DE HAAS, FESLER & AMES**
655 University Avenue, Suite 119
Sacramento, California 95825
8 Phone: (916) 563-3100
9 Facsimile: (916) 565-3704

10 Attorneys for Defendant/Cross-Complainant
Sutter Davis Hospital

11 THE UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13
14 E.R., a minor, by and through his Guardian ad
Litem, CAROLYN YOUNG,

15 Plaintiff,

16 v.

17 SUTTER DAVIS HOSPITAL, SUTTER
18 WEST WOMEN'S HEALTH, SUSAN
MAAYAH, M.D., and DOES 1 to 100,
19 inclusive,

20 Defendants.

21 SUTTER DAVIS HOSPITAL,

22 Cross-Complainant,

23 v.

24 UNITED STATES OF AMERICA,

25 Cross-Defendant.

Case No.: 2:14-CV-02053-WBS-CKD

**STIPULATION AND ORDER FOR
DEFENSE MEDICAL EXAMINATION**

Hon. William B. Shubb

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1 THE PARTIES, THROUGH THEIR RESPECTIVE COUNSEL OF RECORD,
2 STIPULATE AS FOLLOWS:

3 Pursuant to FRCP 35, plaintiff E.R., a minor, by and through his Guardian ad Litem
4 Carolyn Young, will appear for a physical examination by:

5 **NAME:** Donald Olson, M.D.

6 **ADDRESS:** La Follette, Johnson, De Haas
7 Fesler & Ames
8 655 University Avenue, Suite 119
9 Sacramento, CA 95825

10 **DATE OF EXAM:** Monday, October 26, 2015

11 **TIME OF EXAM:** 10:00 a.m.

12 The nature, scope, conditions and manner of the examination are to be as follows:

13 1. The examining physician may ask, and plaintiff's guardian shall answer,
14 questions relating to present symptoms and conditions, and present medical history.

15 2. The examining physician may use accepted diagnostic instruments, tests,
16 manipulations and techniques as may be appropriate upon consent of plaintiff's guardian, but
17 no procedure causing pain or undue discomfort or endangering plaintiff's life or health shall
18 be used. The examination will be performed on plaintiff's head, neck, shoulders, back, arms,
19 legs and any other areas potentially involved, as may be determined based upon the signs
20 and symptoms of plaintiff.

21 3. Plaintiff will appear at the scheduled time for the defense medical examination,
22 but will not be unduly inconvenienced by the defendant physician's examination. If the
23 defense examination has not commenced within sixty (60) minutes, plaintiff will consider
24 this protracted delay to be a waiver of defendant's right to the defense examination and will
25 leave the examiner's office.

26 4. Plaintiff may be accompanied by his attorney or other legal representative.

27 5. No person other than plaintiff, his representative and the examining physician
28 will be allowed to be present during the examination.

