

LAW OFFICES OF
MATHENY SEARS LINKERT & JAIME LLP
3638 AMERICAN RIVER DRIVE
SACRAMENTO, CALIFORNIA 95864

1 Law Offices of
2 **MATHENY SEARS LINKERT & JAIME LLP**
3 MATTHEW C. JAIME (SBN 140340)
4 THOMAS G. LININGER (SBN 353277)
5 3638 American River Drive
6 Sacramento, California 95864
7 Telephone: (916) 978-3434
8 Facsimile: (916) 978-3430
9 mjaime@mathenysears.com
10 tlininger@mathenysears.com

11 Attorneys for Defendant, COSTCO WHOLESALE
12 CORPORATION

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 ISABEL TOLEDO

16 Plaintiffs,

17 v.

18 COSTCO WHOLSALE CORPORATION
19 and DOES 1 through 20, inclusive,

20 Defendants.

Case No. 2:24-CV-02089-TLN-JDP

**STIPULATION RE: PHYSICAL
EXAMINATION OF PLAINTIFF ISABEL
TOLEDO; ORDER**

Complaint filed: May 2, 2024

Trial date: N/A.

21 Plaintiff ISABEL TOLEDO (“Plaintiff”) and Defendant COSTCO WHOLESALE
22 CORPORATION (“Defendant”) agree and stipulate that Plaintiff shall submit to a physical
23 examination pursuant to Federal Rules of Civil Procedure, Rule 35:

24 1. A controversy exists regarding the physical condition of Plaintiff and good cause
25 exists for a physical examination of Plaintiff.

26 2. The examination will be conducted for the purpose of determining the nature and
27 extent of Plaintiff’s physical injuries.

28 3. The scope of the examination will be the physical injuries at issue in litigation,
including, but not limited to, neck. Shoulders, arms, hands, both knees and back.

4. The physical examination will be conducted by Kee Kim MD — the independent
medical exam physician retained by Defendant. Attached to this stipulation as **Exhibit A** is a true

1 and correct copy of Dr. Kim’s Curriculum Vitae setting forth his qualifications and background.

2 5. The date and time for the physical examination will be March 18, 2025, at 3:00 pm.

3 6. The location for the examination is: 3301 C Street #1500, Sacramento, California.

4 7. Dr. Kim’s contact information is: Cheryl Williams (541) 601-0091 and Fax: (916)
5 703-5368.

6 8. It is further stipulated that Defendant will be responsible for the fees associated
7 with this examination.

8 9. However, Plaintiff agrees to reasonably comply with Dr. Kim’s cancellation policy
9 and must advise Defendant if she is unable to attend the examination at least five business days
10 before the examination.

11 Dated: March 4, 2025

LAW OFFICES OF W. RUSSEL FIELDS

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13
14 By: /s/
15 RUSSEL FIELDS
16 Attorney for Plaintiff TOLEDO

17 Dated: February 19, 2025

MATHENY SEARS LINKERT & JAIME LLP

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19 By: /s/
20 MATTHEW C. JAIME, ESQ.
21 Attorney for Defendant COSTCO
22 WHOLESALE CORPORATION
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ORDER

Pursuant to Plaintiff and Defendant’s STIPULATION RE: PHYSICAL EXAMINATION OF PLAINTIFF ISABEL TOLEDO and for good cause shown, the above STIPULATION RE: PHYSICAL EXAMINATION OF PLAINTIFF ISABEL TOLEDO is accepted, adopted, and made the Order of the Court.

IT IS SO ORDERED.

Dated: March 5, 2025



Troy L. Nunley
Chief United States District Judge