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

ZHIVKA VALIAVACHARSKA,

Plaintiff,

v.

MITCH CELAYA, ET AL.,

Defendants.

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No. C10-4847 JSC

**ORDER RE: PLAINTIFF'S  
DEPOSITION AND MEDICAL  
EXAMINATION (Dkt. Nos. 45, 47)**

On October 25, 2011, the Court directed Plaintiff to be prepared to appear for a deposition and medical examination on October 27, 2011 beginning at 9:00 am. (Dkt. No. 46.) Plaintiff was ordered to file a response, if any, by close of business on October 25, 2011. Plaintiff failed to meet this deadline but filed a response on October 26, 2011. Plaintiff concedes that she agreed to continue her deposition “in relation to the documents that she produced afterward.” (Dkt. No. 47.) Accordingly, Plaintiff is directed to appear on October 27, 2011 for her continued deposition at 9:00 am unless the parties agree to a different date certain.

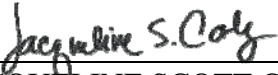
Plaintiff contests her examination by an independent medical examiner (“IME”). The Court encourages the parties to resolve this issue among themselves as Plaintiff could avoid

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multiple trips to California by combining her deposition with an examination by an IME. If the parties are not able to reach a resolution, the Court will address this issue at the status conference on November 17, 2011, and, if the Court rules that an IME is appropriate, Plaintiff may have to schedule another trip to California for this purpose.

**IT IS SO ORDERED.**

Dated: October 26, 2011

  
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JACQUELINE SCOTT CORLEY  
UNITED STATES MAGISTRATE JUDGE