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12 MARRIOTT INTERNATIONAL, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

16 JAYNE FORTSON, an individual,
17 Plaintiff,
18 v.
19 MARRIOTT INTERNATIONAL, INC.,
20 a Delaware corporation, and DOES 1-50,
21 Defendants.

Case No. 4:11-cv-01454 YGR

**STIPULATION TO INDEPENDENT
MEDICAL EXAMINATION PURSUANT
TO RULE 35 OF THE FEDERAL RULES
OF CIVIL PROCEDURE** : ORDER

22 IT IS HEREBY STIPULATED by and between plaintiff JAYNE FORTSON (“Plaintiff”)
23 and defendant MARRIOTT INTERNATIONAL, INC. (“Defendant”), through their designated
24 counsel, that following the death of Dr. Kevin Harrington, plaintiff JAYNE FORTSON will
25 undergo a second physical examination pursuant to Rule 35 of the Federal Rules of Civil
26 Procedure. Said examination shall take place at a time and place mutually agreed upon by the
27 parties.
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This examination will be conducted for the purpose of determining the nature and extent of plaintiff's physical injuries and the relationship thereof to the accident which is the subject of this litigation, and will consist of all necessary and customary activities required to make such a determination, including but not limited to medical history, history of accident in question, and physical examination and evaluation. Photographs of plaintiff's injuries may be taken for use at trial.

Dated: January 11, 2013

BROWNSTEIN THOMAS, LLP

By: /s/ Mark C. Thomas
MARK C. THOMAS
Attorneys for Plaintiff
JAYNE FORTSON

Dated: January 11, 2013

LOMBARDI, LOPER & CONANT, LLP

By: /s/ Maria M. Lampasona
MARIA M. LAMPASONA
Attorneys for Defendant
MARRIOTT INTERNATIONAL, INC.

IT IS SO ORDERED.

Dated: January 14, ²⁰¹³ ~~2012~~



HON. LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE