

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

SYED HASAN ARZOO ZAIDI,

No. C 13-01586 WHA

Plaintiff,

v.

**ORDER RE
 ATTORNEY'S FEES AND
 INTRADISTRICT TRANSFER**

AMERICAN AIRLINES, INC.,

Defendant.

Before ruling on plaintiff's motion for intradistrict transfer or providing relief from the award of attorney's fees, plaintiff shall answer the following under oath or penalty of perjury:

1. Plaintiff must submit proof demonstrating that he is "physically disabled . . . [and] suffering from incurable and terminal heart disease" (Compl. ¶ 2). The medical bills appended to the complaint are insufficient. Plaintiff shall provide current medical diagnostic evidence showing the extent of his heart condition and his physical limitations.
2. Exhibit 5 of plaintiff's complaint shows that the Albuquerque Regional Medical Center *ruled out* myocardial ischemia after evaluating plaintiff's condition. Plaintiff shall explain why he supplied this record as evidence of his heart condition when it shows the opposite.
3. Evidently plaintiff is a medical doctor. Plaintiff must explain how a medical doctor has so few assets. Plaintiff shall detail the aspects of his past

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

practice, including his annual income, and whether he received payments or practiced through an LLC.

4. Plaintiff represents that he has a car (Dkt. No. 30 at 1). Plaintiff must explain whether he is able to drive and whether he can drive his car to the courthouse in San Francisco.


5. Plaintiff's complaint states that he had to "run" a long distance to reach his gate at the airport (Compl. ¶ 18). Plaintiff must explain how he was able to run this distance, given his alleged physical disability.

Plaintiff must file a declaration answering these questions by **AUGUST 13, 2013, AT NOON**. A copy must be served upon opposing counsel. Defendant will then have one week to depose plaintiff for ninety minutes regarding his declaration. Upon proper notice, the deposition will occur at a time and place of plaintiff's choosing. Evidence from the deposition must be submitted by **AUGUST 20, 2013, AT NOON**. Failure to cooperate in discovery will be taken into account.

The issue of whether plaintiff's amended complaint will become operative is **HELD IN ABEYANCE** pending resolution of the issues laid out in this order.

IT IS SO ORDERED.

Dated: August 1, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE