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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

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11 LINDA KNIGHTEN,
12 Plaintiff,
13 v.
14 OMNI HOTEL,
15 Defendant.

Case No. 12-cv-02296 CW (NC)

**ORDER RE: DISCOVERY
DISPUTE**

Re: Dkt. No. 26

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17 The parties filed a joint discovery brief in which Omni seeks an order requiring
18 plaintiff to submit to a mental examination under Federal Rule of Civil Procedure 35. Dkt.
19 No. 26. The Court held a hearing on the discovery dispute on April 17, 2013. Based on the
20 parties' submissions and the arguments of counsel at the hearing, the Court orders as
21 follows:

22 1. The Court finds that plaintiff has placed her mental condition in controversy,
23 and that good cause exists for permitting a mental examination of plaintiff, limited in time
24 and scope as specified below. *See Schlagenhauf v. Holder*, 379 U.S. 104, 117-21 (1964).

25 2. Plaintiff must submit to a mental examination by George W. Woods, Jr., M.D.
26 The examination must take place on a mutually agreed day within 30 days of the date of this
27 order at the office of Dr. Woods in San Francisco, beginning at 9:00 a.m. and not exceeding
28 three hours (not including any appropriate breaks).

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