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Attorneys for Defendant,
J.C. PENNEY CORPORATION, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOLORES BANUELOS,	)	Case No.: C 09-CV-00255 PVT
)	
Plaintiff,	)	STIPULATION AND ORDER FOR
	)	DEFENSE MEDICAL
vs.	)	EXAMINATION PURSUANT TO
	)	FEDERAL RULES OF CIVIL
J.C. PENNEY COMPANY, INC.;	)	PROCEDURE, RULE 35
and DOES 1 to 50, inclusive,)	
	)	[Honorable Patricia V. Turnbull]
Defendants.	)	Date of Exam: December 15, 2009
	)	Time: 1:00 p.m.
	)	Location: Ramon Jimenez, M.D.
	)	71 Corral de Tierra Rd.
	)	Salinas, CA 93908

STIPULATION

IT IS HEREBY STIPULATED, by and between the parties, through their counsel, that:

1. Plaintiff, DOLORES BANUELOS, will submit to a defense medical examination regarding her claimed physical injuries, pursuant to Federal Rules of Civil Procedure, Rules 26 and 35, under the conditions set forth below. The purpose of this examination is to determine the extent of plaintiff DOLORES BANUELOS's physical injuries, if any, that plaintiff alleges she sustained due to the incident that is the subject of this lawsuit.

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2. The examination will be conducted by: Ramon Jimenez, M.D.

At: 71 Corral de Tierra Rd., Salinas, CA 93908

Date: December 15, 2009; Time: 1:00 a.m./p.m.

3. The examination will or may consist of a clinical examination of the plaintiff, with a focus on current as well as past, physical condition, level of functioning and medication, tests, oral questions, and other such necessary procedures, none of which will be painful, protracted or intrusive, will also be administered. All testing and examinations will be performed by Dr. Jimenez. The testing will include a physical examination, all of which should take no more than three hours, with breaks as necessary. If prior medical records exist for the claimed injuries, they are to be made available to Dr. Jimenez pursuant to Rules 26 and 35.

4. Plaintiff will answer all proper questions about her claimed injuries and medical history submitted to her by Dr. Jimenez, including occupational history and prior medical and physical health conditions for the purpose of making a proper diagnosis of plaintiff's condition.

5. Defendant shall bear the costs of the examination.

6. Defendant shall provide and bear the costs of a certified Spanish language interpreter during the exam.

7. Plaintiff shall respond as required by Federal Rules of Civil Procedure, Rules 26 and 35.

Dated: November 23, 2009


**MANNING & MARDER
KASS, ELLROD, RAMIREZ LLP**



By: _____
Lisa A. Villasenor
Attorneys for Defendant,
J.C. PENNEY CORPORATION, INC.

Dated: November 24, 2009

THE MITCHELL LAW FIRM

By:  _____
Tab Mitchell
Attorneys for Plaintiff,
DOLORES BANUELOS

ORDER

IT IS HEREBY ORDERED,

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3 1. That plaintiff, DOLORES BANUELOS, will submit to a defense medical
4 examination regarding her claimed physical injuries, pursuant to Federal Rules of Civil Procedure,
5 Rules 26 and 35, under the conditions set forth below. The purpose of this examination is to
6 determine the extent of physical injuries, if any, that plaintiff alleges she sustained during the
7 incident that is the subject of this lawsuit.

8 2. That the examination be conducted by Dr. Jimenez, M.D. who is located at_71
9 Corral de Tierra Rd., Salinas, CA 93908. Dr. Jimenez's office telephone number
10 is 831-643-9788.

11 3. That the examination will or may consist of a clinical examination, detailed medical
12 history and evaluation of the current as well as past, physical condition, level of functioning and
13 medication, tests, oral questions, and other such necessary procedures, none of which will be
14 painful, protracted or intrusive, will also be administered. All testing and examinations will be
15 performed by Dr. Jimenez. The testing will include a physical examination, all of which should
16 take no more than three hours, with breaks as necessary. If prior medical records exist for the
17 claimed injuries, they are to be made available to Dr. Jimenez pursuant to Rules 26 and 35.

18 4. That plaintiff will answer all proper questions about her claimed injuries and
19 medical history submitted to her by Dr. Jimenez, including occupational history and prior medical
20 and physical health conditions for the purpose of making a proper diagnosis of plaintiff's condition.

21 5. That defendant shall bear the costs of the examination.

22 6. That defendant shall provide and bear the costs of a certified Spanish language
23 interpreter during the exam.

24 7. That plaintiff will respond as required by Federal Rules of Civil Procedure, Rules 26
25 and 35.

26 Dated: 12/15/09

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28 Honorable Patricia V. Turnbull
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