

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01642-WJM-KLM

LATONYA DENISE DAVIS,

Plaintiff,

v.

TODD CLIFFORD, Lakewood Police Officer,
TODD FAHLSING, Lakewood Police Sergeant,
MICHELE WAGNER, Lakewood Police Sergeant,
MICHELLE CURRANT, Lakewood Police Sergeant, and
CITY OF LAKEWOOD, jointly and severally,

Defendants.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendants' **Unopposed Motion for Order for Fed. R. Civ. P. 35 Physical Examination and Fed. R. Civ. P. 35 Mental Examination of Plaintiff [#43]**¹ (the "Motion"). Pursuant to Fed. R. Civ. P. 35(a), the court may order "a party whose mental or physical condition . . . is in controversy to submit to a physical or mental examination by a suitably licensed or certified examiner . . . on motion for good cause." Having reviewed the unopposed Motion, the Court finds that Defendants have provided good cause for a Rule 35 physical examination and a Rule 35 mental examination. Accordingly,

¹ "[#43]" is an example of the convention the Court uses to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). The Court uses this convention throughout this Minute Order.

IT IS HEREBY **ORDERED** that the Motion [#43] is **GRANTED**. Thus,

IT IS FURTHER **ORDERED** that Plaintiff's Rule 35 mental examination shall be performed by Dr. Robert Kleinman ("Dr. Kleinman"), a licensed physician and psychiatrist, on March 12, 2014 at 10:00 a.m. at the office of Dr. Kleinman located at 1658 Cole Boulevard, Suite 295, Lakewood, CO 80401. This examination will be a single-session, complete clinical examination of Plaintiff's mental condition, which may include a review of Plaintiff's past medical history, present mental condition, and future prognosis. This examination is anticipated to last between 4 hours and 4.5 hours. Plaintiff shall be responsible for any reasonable costs or expense resulting from her missing or failure to attend this examination.

IT IS FURTHER **ORDERED** that Plaintiff's Rule 35 physical examination shall be performed by Dr. Kristin Mason ("Dr. Mason"), a licensed and board-certified physician, on March 18, 2014 at 10:15 a.m. at the office of Dr. Mason located at 7208 S. Tucson Way, Suite 260, Centennial, CO 80112. This examination will be a single-session, complete clinical examination of Plaintiff's physical condition, which may include a review of Plaintiff's past medical history, present physical condition, and future prognosis. This examination is anticipated to last between 1.5 hours and 2 hours. Plaintiff shall be responsible for any reasonable costs or expense resulting from her missing or failure to attend this examination.

Dated: February 28, 2014

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kristen L. Mix".

Kristen L. Mix
United States Magistrate Judge