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13 Attorneys for Defendants  
14 GILTNER TRANSPORTATION, INC.;  
15 GILTNER LOGISTICS SERVICES INC.;  
16 and GILTNER, INC.

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 VICTORIANO RAMOS; THERESA RAMOS,  
20 Plaintiffs,

21 vs.

22 GILTNER TRANSPORTATION, INC.;  
23 GILTNER LOGISTICS SERVICES INC.;  
24 GILTNER, INC.; PROGRESSIVE  
25 LOGISTICS, INC.; GARY ROBERT NAIR;  
26 DOES 1-200; and ROES 201-300,

27 Defendants.

28 CASE NO. 2:21-cv-01446-RFB-BNW

**STIPULATION AND ORDER FOR  
FRCP RULE 35 EXAMINATION OF  
PLAINTIFF VICTORIANO RAMOS**

29 **STIPULATION AND ORDER FOR FRCP RULE 35 EXAMINATION OF PLAINTIFF**  
**VICTORIANO RAMOS**

30 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs  
31 VICTORIANO RAMOS and THERESA RAMOS and Defendants GILTNER  
32 TRANSPORTATION, INC.; GILTNER LOGISTICS SERVICES INC.; and GILTNER, INC.,  
33 by and through their respective undersigned counsel of record, that the Plaintiff VICTORIANO  
34 RAMOS is willing to undergo a FRCP Rule 35 Examination with the agreed-upon medical  
35 physicians and the stipulated conditions set forth below:

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1       1. The Rule 35 Examination will be conducted by Dr. Thomas Kinsora and an  
2 assistant who speaks Spanish who will translate and assist in the Rule 35 examination process.

3       2. The Rule 35 Examination will take place on June 19, 2022, at the Hyatt  
4 Regency located at 6225 West Century Boulevard, Los Angeles, California 90045.

5       3. The Rule 35 Examination will be conducted between 9:00am and 6:00pm with a  
6 break for lunch and other short comfort breaks during the day as needed by the Plaintiff.

7       4. Dr. Kinsora will provide the intake forms to Plaintiffs' Counsel and they need to  
8 be completely filled out and returned two weeks prior to the Rule 35 examination.

9       5. The day will begin with an interview that should last approximately 90 minutes  
10 and this portion may be audio recorded by the Plaintiff if he so desires. No outside observers  
11 can be present and the testing portion of the examination following the interview cannot be  
12 audio recorded in any manner.

13       6. The testing portion of the Rule 35 examination will consist of various testing  
14 batteries that are commonly accepted in the medical and scientific communities and will  
15 depend upon the cognitive abilities of Plaintiff VICTORIANO RAMOS and the results of the  
16 interview on the day of the Rule 35 examination.

17       7. Following the Rule 35 examination, Dr. Kinsora will share the raw testing data  
18 directly with a Neuropsychologist retained by Plaintiffs, but this raw testing data is not to be  
19 shared with other parties.

20       8. Following the Rule 35 examination, Dr. Kinsora will prepare a written report of  
21 his findings and opinions and this report will be provided to the parties within 30 days.

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1                   9. Dr. Kinsora shall not ask any liability questions regarding the subject accident.

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3                   **IT IS SO STIPULATED.**

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DATED this 5th day of May 2022.

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DORDICK LAW CORPORATION

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/s/ *Gary A. Dordick, Esq.*

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Elizabeth A. Hernandez, Esq. (*Pro Hac Vice*)

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Gary A. Dordick, Esq. (*Pro Hac Vice*)

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*Attorneys for Plaintiffs*

*VICTORIANO RAMOS and THERESA*

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*RAMOS*

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DATED this 5<sup>th</sup> day of May 2022.

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THORNDAL ARMSTRONG DELK  
BALKENBUSH & EISINGER

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/s/ *Michael C. Hetey, Esq.*

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*GILTNER TRANSPORTATION, INC.;*

*GILTNER LOGISTICS SERVICES INC.;*

21

*and GILTNER, INC*

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DATED this 5<sup>th</sup> day of May 2022.

LAW OFFICE OF PETER GOLDSTEIN

/s/ *Peter Goldstein, Esq.*

Peter Goldstein, Esq.

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*Attorney for Plaintiffs*

*VICTORIANO RAMOS and THERESA*

*RAMOS*

## **ORDER**

Plaintiff VICTORIANO RAMOS will appear for a FRCP Rule 35 Examination with Dr. Thomas Kinsora pursuant to the stipulated conditions listed above.

IT IS SO ORDERED.

DATED: May 9, 2022.

Bernie Wexler  
UNITED STATES MAGISTRATE JUDGE