

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

C.H.,

**Plaintiff,**

v.

**No. 2:21-cv-00574-MV-SMV**

**PATRICK HOWARD; DANA CRITCHLOW;  
GREGORY A. EWING; and LAS CRUCES  
PUBLIC SCHOOLS,**

**Defendants,**

and

**TEACHERS INSURANCE COMPANY,**

**Plaintiff-in-Intervention,**

v.

**C.H. and PATRICK HOWARD,**

**Defendants-in-Intervention.**

**STIPULATED ORDER GRANTING DEFENDANT LCPS'S UNOPPOSED MOTION  
FOR MENTAL HEALTH EXAMINATION OF PLAINTIFF C.H.**

THIS MATTER having come before the Court on Defendant Las Cruces Public Schools' Unopposed Motion for Mental Health Examination of Plaintiff C.H., and the Court, having reviewed said Motion and, in particular, having noted that the Motion is unopposed, finds that it is well taken and should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Plaintiff C.H. shall appear for a mental health examination with Defendant's chosen expert, clinical psychologist

Def.'s Rule 35 Motion 1

Edward Siegel, Ph.D. This mental health examination is scheduled for May 9, 2022, at 10:30 a.m. at the office of Marc A. Caplan, PhD, 637 N. Alameda Blvd., Las Cruces, NM 88005.

The scope of Dr. Siegel's mental health examination will include an interview of Plaintiff C.H. and two formal tests: Personality Assessment Inventory (PAI), and Rorschach. The interview portion of the examination will discuss Plaintiff's history, the impact of the incidents at issue on Plaintiff, how the incident is still bothering Plaintiff, the substance of Plaintiff's post-incident psychological treatment and the current status of that treatment, Plaintiff's use of medications and Plaintiff's support groups and mechanisms. Dr. Siegel will also review relevant records.

The parties have agreed that Plaintiff C.H. shall have a neutral observer, Ms. Kat Mosier, attend the mental health examination, at Plaintiff's expense. This neutral observer shall not make comments, take notes or record the examination, or in any way attempt to interfere or influence the examination. This observer may not be called as a witness in this case absent extraordinary circumstances. "Extraordinary circumstances" shall not include disputes about what was said or done by Plaintiff C.H. or Dr. Siegel during the normal course of a mental health examination.

IT IS SO ORDERED.



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HONORABLE STEPHAN M. VIDMAR  
UNITED STATES MAGISTRATE JUDGE

APPROVED:

ATWOOD, MALONE, TURNER & SABIN, P.A.

By Electronically Submitted on 05/06/22 /s/ Bryan Evans

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