

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARY HALLOWELL

Plaintiff,

v.

SAFEWAY, INC.; JANE DOE, an individual

Defendants.

NO. 2:16-cv-00972-TSZ

STIPULATION AND ORDER  
REGARDING PLAINTIFF’S MEDICAL  
EXAMINATION PURSUANT TO FRCP  
35; ORDER RE: PLAINTIFF’S MEDICAL  
EXAMINATION

IME Date: September 14, 2017

**I. STIPULATION AND MOTION**

IT IS HEREBY STIPULATED by and between Plaintiff MARY HALLOWELL (“Plaintiff”) and Defendant SAFEWAY, INC. (“Defendant”), by and through their respective counsel, that Plaintiff will undergo a physical examination pursuant to Rule 35 of the Federal Rules of Civil Procedure. Said examination will take place on **September 14, 2017** and will be conducted by Michael Hatzakis, M.D. commencing at 10:00 a.m. at Overlake Medical Clinics located at 1740 NW Maple St., Ste 111, Issaquah, WA 98027.

This examination will be conducted for the purposes of determining the nature and extent of Plaintiff’s physical injuries and the relationship thereof to the incident which is the subject of this litigation (administration of an influenza vaccine), and will consist of all

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PLAINTIFF’S MEDICAL EXAMINATION - 1  
(2:16-cv-00972)

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601 Union Street, Suite 4100  
Seattle, Washington 98101-2380  
(206) 628-6600

1 necessary and customary activities required to make such a determination, including but not  
2 limited to medical history, radiographic studies, history of the incident in question, and  
3 physical examination and evaluation. Photographs of Plaintiff's alleged injuries may be taken  
4 for use at trial.

5 IT IS FURTHER STIPULATED that Defendant will provide Plaintiff a copy of a  
6 detailed written report setting out the history, examinations, findings, including the results of  
7 all tests made, diagnoses, prognoses, and conclusions of the examiner, Dr. Michael Hatzakis,  
8 within 10 days upon Defendant's receipt of the same.

9 Dated this 11<sup>th</sup> day of September, 2017

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11 WILLIAMS, KASTNER & GIBBS, PLLC

J.D. SMITH, WARD SMITH PLLC

12  
13 By s/Anne M. Loucks

By s/J.D. Smith

14 Rodney L. Umberger, Jr., WSBA #24948  
Anne M. Loucks, WSBA #32739

J.D. Smith, WSBA #28246

15 601 Union Street, Suite 4100  
16 Seattle, WA 98101-2380  
17 Telephone: (206) 628-6600  
Fax: (206) 628-6611

1000 2<sup>nd</sup> Avenue, Suite 4050  
Seattle, Washington 98104  
Phone: (206) 588-8530  
Fax: (206) 588 - 8531  
Email: [jd@wardsmithlaw.com](mailto:jd@wardsmithlaw.com)

18 Email: [rumberger@williamskastner.com](mailto:rumberger@williamskastner.com)  
[aloucks@williamskastner.com](mailto:aloucks@williamskastner.com)

Attorney for Plaintiff

19 Attorneys for Defendant, Safeway, Inc.  
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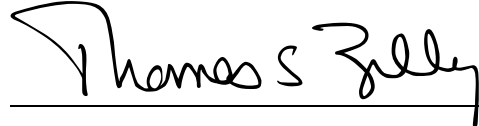
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(206) 628-6600

1 **II. ORDER**

2 Pursuant to the parties' September 11, 2017 stipulation, the Court finds good cause to  
3 order a Rule 35 examination pursuant to the parties' stipulated terms.

4 IT IS SO ORDERED.

5 DATED this 13th day of September, 2017.

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8 Thomas S. Zilly  
9 United States District Judge

10  
11 Presented By:

12 WILLIAMS, KASTNER & GIBBS, PLLC

13  
14 By s/Anne M. Loucks

15 Rodney L. Umberger, Jr., WSBA #24948  
16 Anne M. Loucks, WSBA #32739

17 601 Union Street, Suite 4100  
18 Seattle, WA 98101-2380  
19 Telephone: (206) 628-6600  
20 Fax: (206) 628-6611  
21 Email: [rumberger@williamskastner.com](mailto:rumberger@williamskastner.com)  
[aloucks@williamskastner.com](mailto:aloucks@williamskastner.com)

22 Attorneys for Defendant, Safeway, Inc.

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Seattle, Washington 98101-2380  
(206) 628-6600

1 Approved as to form, Notice of Presentation waived

2 J.D. SMITH, WARD SMITH PLLC

3

4 By s/J.D. Smith  
J.D. Smith, WSBA #28246

5

6 1000 2<sup>nd</sup> Avenue, Suite 4050  
7 Seattle, Washington 98104  
8 Phone: (206) 588-8530  
9 Fax: (206) 588 - 8531  
10 Email: [jd@wardsmithlaw.com](mailto:jd@wardsmithlaw.com)

11 Attorney for Plaintiff

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STIPULATION AND ORDER REGARDING PLAINTIFF'S  
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**Williams, Kastner & Gibbs PLLC**  
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Seattle, Washington 98101-2380  
(206) 628-6600