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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

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10 MELISSA TETREAULT,

11 Plaintiff,

12 v.

13 THE STANDARD INSURANCE
14 COMPANY, an Oregon corporation,

15 Defendant.

Case No. CV-17-00540-RSL

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18 STIPULATION AND ~~PROPOSED~~ ORDER
19 FOR FUNCTIONAL CAPACITY
20 EXAMINATION

21 Defendant STANDARD INSURANCE COMPANY (“Standard”) and Plaintiff
22 MELISSA TETREAULT (“Tetreault”) respectfully submit this stipulation and proposed order
23 for functional capacity examination under Federal Rule of Civil Procedure 35.

24 The parties hereby stipulation that Plaintiff Melissa Tetreault will submit to a functional
25 capacity examination on February 28, 2018 at Everett Pacific Industrial Rehabilitation at 8:00
26 a.m. at 11627 Airport Rd # H, Everett, WA 98204. The exam will be conducted by Dr.
Theodore Becker. Plaintiff Tetreault may be accompanied by one individual of her choosing
who will solely observe and will not comment or interfere with the examination in any way.

The exam shall consist of medical history, physical examination and evaluation of
Plaintiff’s upper extremities, and functional capacity testing of Plaintiff’s upper extremities

1 including but not limited to testing of strength, motion, flexibility and validity and effort.

2 Additionally:

- 3 • Plaintiff will not be required to disrobe or remove any clothing beyond what is
- 4 necessary to examine her upper extremities;
- 5 • Plaintiff will not be required to perform any action that causes her pain or that
- 6 may aggravate her injuries;
- 7 • Plaintiff will not be asked, and need not answer, questions outside the scope of
- 8 pertinent medical history and questions necessary to carry out the functional
- 9 capacity exam itself; and
- 10 • Defendant may not have any attorney, agent, or other person present during the
- 11 examination, other than Dr. Becker and his staff.

12 IT IS FURTHER STIPULATED that Defendant will provide Plaintiff a copy of a
13 detailed written report setting out the history, examinations, findings, including the results of all
14 tests made, diagnose, prognoses, and conclusions of the examiner, Theodore Becker, M.D.,
15 within 5 days upon Defendant's receipt of same.

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20 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

21 DATED: February 20, 2018

/s:/ David P. Roosa

David P. Roosa

Attorneys for Plaintiff

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23
24 DATED: February 20, 2018


/s:/ Stacy M. Tucker

Stacy M. Tucker

Attorneys for Defendant

1 PURSUANT TO STIPULATION, IT IS SO ORDERED

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3 DATED: Feb. 23, 2018

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6 Hon. Robert S. Lasnik,
7 United States District Court Judge
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