

**STIPULATED ORDER ALLOWING PHYSICAL EXAMINATION  
OF PLAINTIFF PURSUANT TO FR Civ P 35**

At a session of the Court, held in the City of \*,  
County of \*, Michigan on \_\_\_\_\_

PRESENT: Hon. \_\_\_\_\_  
U.S. District Court Judge

Based on the concurrence of counsel, as demonstrated by their stipulation to the entry of this order,

**IT IS ORDERED** that Plaintiff must submit to a physical examination by a physician, under the following conditions:

1. This examination is being performed at Defendant's request by a doctor of Defendant's choice and at Defendant's expense.

2. That the examination shall take place at the offices of Dr. \*, on \*, \* at \*.m., or such other time and date as counsel shall agree.

**OR** That the examination shall take place at \* Hospital on \* at 2:30 p.m., or such other time and date as counsel shall agree, and shall be performed by Dr. \*.

3. That Plaintiff's attorney or his paralegal may be present during said examination, if he so desires; however, if he fails to appear the examination shall continue in any event.

4. That the scope of the examination shall be limited to Plaintiff's \* injuries, as indicated in \* complaint. Further, Plaintiff shall not be subjected to invasive testing (i.e. injections or drawing of blood, etc.) without advance written notice and approval.

5. That Plaintiff's counsel will be provided at Defendant's expense photocopies of all notes, memorandums, documents, tests, test results, evaluations, reports and the like in reference to the above-mentioned physical examination.

6. That Plaintiff's attorney shall be provided with a photocopy of a detailed written report of the examination setting forth the doctor's findings, if any, including

the results of all tests made, diagnosis and conclusions. This report shall be provided within thirty (30) days of the examination of Plaintiff, or four (4) days before the doctor's deposition, whichever is earlier.

7. That Dr. \* shall make available for inspection and examination any x-rays, cardiograms and other diagnostic aids, if any, upon reasonable notice.

8. That Dr. \* shall make himself/herself available to Plaintiff for a discovery deposition, in advance of trial, if Plaintiff so desires, at a time and date agreeable to the doctor and the parties.

9. If defense counsel desires to present Dr. \*'s testimony at trial by deposition de bene esse, the deposition must be completed at least ten (10) days before jury selection begins.

**IT IS SO ORDERED.**

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U.S. DISTRICT COURT JUDGE