

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 05-642-MLG Date August 23, 2007
Title Jeffry La Marca v. Capella University

Present: The Honorable Marc L. Goldman, Magistrate Judge

<u>Terri Steele</u>	<u>n/a</u>	<u>CourtSmart</u>
<u>Deputy Clerk</u>	<u>Court Reporter / Recorder</u>	<u>Tape No.</u>

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Russell J. Thomas, Jr. (By telephone)

H. Christian L'Orange (By telephone)

Proceedings: (In Court) Order Granting Defendant's Motion to Compel Plaintiff to Attend Rule 35 Medical Examination

On August 21, 2007, Defendant filed an ex parte motion to compel Plaintiff to comply with the Court's July 5, 2005 Order directing him to attend a Rule 35 medical/mental examination. On August 22, 2007 Plaintiff filed his opposition. For the reasons stated on the record at the hearing this date, Defendant's Motion is GRANTED. Plaintiff shall attend and fully cooperate in the medical/mental examination previously set for August 24, 2007 with Dr. Joseph Goldstein in Salt Lake City, Utah. Defendant has made all necessary travel arrangements for Plaintiff. The Court shall decide at a later date whether any excess travel costs caused by Plaintiff's conduct or the costs and fees incurred by Defendant in filing this motion should be borne by Plaintiff.

Plaintiff is placed on notice that the failure to attend and submit to the examination on August 24, 2007 and/or the failure to fully cooperate in the examination shall result in the imposition of any sanction permitted under Fed.R.Civ.P. 37(b)(2)(E).

I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY FAX DELIVERY ON PLAINTIFF/DEFENDANT (OR PARTIES) AT THEIR RESPECTIVE MOST RECENT FAX NUMBER OF RECORD IN THIS ACTION ON THIS DATE.

DATE: 8-23-07

[Signature]
DEPUTY CLERK

DOCKETED ON CM
AUG 24 2007
BY [Signature] 024

Initials of Preparer [Signature] : 25
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