

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

<p>JOSEPH SAAD, INDIVIDUALLY, ZIHRA SAAD, INDIVIDUALLY,</p> <p>PLAINTIFFS,</p> <p>- Vs -</p> <p>CITY OF DEARBORN HEIGHTS, ET AL.,</p> <p>DEFENDANTS.</p>	<p>CIVIL CASE No. 2:11-cv-10103</p> <p><b>STIPULATED ORDER FOR PHYSICAL EXAMINATION AND OTHER DISCOVERY</b></p> <p>- HONORABLE PATRICK J. DUGGAN –</p> <p>- MAGISTRATE JUDGE MARK A. RANDON -</p>
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UNITED STATES COURTS:

- SIXTH CIRCUIT COURT OF APPEALS
- DISTRICT OF ARIZONA
- EASTERN DISTRICT OF MICHIGAN

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**STIPULATED ORDER FOR PHYSICAL EXAMINATION AND OTHER DISCOVERY**

1 The parties, by counsel, hereby stipulate as follows:

2 **IT IS HEREBY ORDERED** that Plaintiffs Joseph Saad and Zihra Saad shall attend a  
3 medical examination requested by Defendants with Dr. Harvey Ager, M/D/, P.C. Carson Centre,  
4 29355 Northwestern Highway, Suite 140, Southfield, Michigan 48034.

5 **IT IS FURTHER ORDERED:**

6 1. Plaintiffs will be provided with a current copy of Dr. Ager's curriculum vitae no  
7 less than 10 days prior to the first scheduled exam.

8 2. Any person assisting Dr. Ager must be fully identified by full name and title to  
9 Plaintiff and in any written report.

10 3. No diagnostic test or procedure that is invasive will be allowed.

11 4. Plaintiffs will not sign any paperwork or fill out any paperwork at Dr. Ager's  
12 office, including "patient information forms" or "consent forms" since Plaintiffs are not a patient  
13 at Dr. Ager's office and are consenting to this examination only pursuant to the requirements of  
14 the Federal Rules of Civil Procedure.

15 5. Dr. Ager must be provided with a copy of the Order prior to the examination.

16 6. The total time for each examination and testing will not exceed three hours. If  
17 any period of time exceeding forty-five minutes goes by when Plaintiffs are not being examined,  
18 either by the doctor or his staff, then Plaintiffs will be free to leave.

19 7. Plaintiffs shall receive a copy of all reports and writings generated by the doctor  
20 in this matter under Fed. R. Civ. P. 35, including a copy of a detailed report with results of all  
21 tests made, diagnoses, prognosis and conclusions of the examiner, all record review reports,  
22 billings, notes, within 30 days following the examination.

23 8. Plaintiffs are not required to bring any records or x-rays or other testing with  
24 them.

25 9. Defendants will stipulate to a deposition of Dr. Ager after Plaintiffs are provided  
26 with the items under paragraph 8 above (as it will probably occur after the discovery deadline).

27 10. Plaintiffs will provide Defendants with executed copies of the medical  
28 authorization forms Defendants have requested within five (5) days of the date of entry of this  
29 Order.

30 11. Plaintiffs will provide Defendants with the names of two omitted medical  
31 providers.

12. Plaintiffs will supplement their responses to Defendants' Interrogatories as requested by Defendants in their correspondence dated December 7, 2011.

13. Defendants will provide dates for Plaintiffs remaining depositions of Defendants which, by agreement of the parties, may be after the discovery cut-off date.

**SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE,  
EASTERN DISTRICT OF MICHIGAN

DATED: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE MARK A. RANDON  
UNITED STATES MAGISTRATE JUDGE,  
EASTERN DISTRICT OF MICHIGAN

**APPROVED AS TO SUBSTANCE AND FORM THIS 9TH DAY OF DECEMBER, 2011,**

**HADOUSCo. |<sup>PLLC</sup>**

**CUMMINGS, MCCLOREY, DAVIS, & ACHO PLC**

/s/NEMER N. HADOUS  
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