UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

MELISSA A. MILLER,	
)	Case No. CV 13-00517-EJL
Plaintiff,	
vs.	ORDER RE: DEFENSE PSYCHOLOGICAL EXAM
CITY OF POST FALLS, a political subdivision	
of the State of Idaho; R. SCOT HAUG, City of	1
Post Falls Chief of Police; City of Post Falls	
Police Officers NEIL UHRIG, FRANK	
BOWNE, BRETT CHAPMAN, AARON	
OGLE, KATHY ESHOO, CHRISTINE JONES,	
ROD GUNDERSON, and JOHN DOE	1
OFFICERS I-V,	
) Defendants.)	

Pursuant to Stipulation (Dkt. 15) of the parties, IT IS HEREBY ORDERED that plaintiff

Melissa Miller shall submit to a Defense Psychological Examination conducted pursuant to

FRCP 25, 35 and 37, by Dr. Duane Green, Ph.D.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that:

1. The examination shall not last longer than eight hours in one calendar day.

2. Plaintiff shall be allowed to have her legal counsel or a member of his staff present with her during only the interview portion of the examination who may observe the examination but will not unreasonably interfere or obstruct the examination.

3. The Defense Psychological Exam is for forensic evaluation only and not for purposes of treatment.

4. Defendants shall pay all of plaintiff's expenses to attend the Defense Psychological Examination, including food expenses (one meal) and round trip travel expenses incurred by plaintiff traveling from Post Falls, Idaho to Spokane, Washington, and to be calculated at the rate of \$.55 per mile (50 miles roundtrip). Defendants shall be provided receipts for plaintiff's meal expenses incurred.

5. Within twenty-one days from the examination date, defendants shall forward to plaintiff a report authored by the examining psychologist setting forth the opinions of the examining psychologist and a detailed statement of all facts and data said expert relied upon to generate his opinions. The report shall conform with F.R.C.P. 26 concerning expert witness reports.

6. Plaintiff will complete an intake form and also perform requested psychological tests as well as an interview by Dr. Green.

7. Defendants agree to make Dr. Green available for deposition beyond the discovery cutoff date upon reasonable notice from plaintiff.

8. A copy of all materials provided by the defense to Dr. Green, including correspondence, shall be provided upon request.

9. A copy of Dr. Green's original notes, testing material and raw data shall be provided upon request but these materials shall only be shared with plaintiff's consulting and/or testifying expert on the issue of psychological damage and shall not be reproduced or copied. These materials shall be destroyed by plaintiff's counsel at the conclusion of this litigation.

10. Plaintiff's counsel shall pay a reasonable copying cost of \$.10 per page.

11. Either party may designate any portion of Dr. Green's report or other documents

related thereto as confidential, pursuant to the confidentiality order in this case.



DATED: July 30, 2014 Edward J. Lodge

United States District Judge