

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

JESSICA SENSINI,

Plaintiff,

v.

Case No: 5:17-cv-113-Oc-30PRL

MTD SOUTHWEST INC.

Defendant.

ORDER


This case comes before the Court for consideration of Defendant's unopposed Rule 35 motion for a physical examination of Plaintiff. (Doc. 41).

Plaintiff filed this products liability action against Defendant (Doc. 35), alleging that she sustained serious personal injuries from a leaf blower that Defendant put on the market. Defendant contends that due to the nature of Plaintiff's allegations, an examination is necessary pursuant to Rule 35 of the Federal Rules of Civil Procedure. Specifically, Defendant proposes an independent medical examination by Richard Bridgewater, M.D., who is board certified with the American Board of Obstetricians and Gynecologists, on June 15, 2018 at 3:00 p.m. Plaintiff has no objection.

Indeed, Rule 35(a)(1) of the Federal Rules of Civil Procedure provides that the court may order a party whose mental or physical condition is in controversy to submit to an examination by a suitably licensed examiner. Pursuant to Rule 35(a)((2), the Court's order may be made only on motion for good cause and on notice to all parties and the person to be examined, and "must specify the time, place, manner, conditions, and scope of the examination, as well as the person or persons who will perform it."

Upon due consideration, and absent any objection by Plaintiff, Defendant's motion (Doc. 41) is **GRANTED**, and shall be conducted by licensed physician Richard Bridgewater, M.D., on June 15, 2018, at 3:00 p.m., at Bridgewater Women Center, 1951 SW 172 Avenue, Suite 210, Miramar, Florida 33029. The scope of the examination is set forth in the unopposed motion.

DONE and **ORDERED** in Ocala, Florida on June 1, 2018.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties