

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CHRISTA ROBERTS, and
TONYA ROBERTS,

Plaintiffs,

v.

Case No. 8:23-cv-02540-MSS-AEP

USAA GENERAL INDEMNITY
COMPANY,

Defendant.

_____ /

ORDER

This cause comes before the Court upon Defendant's Motion to Compel Compulsory Medical Examination of Plaintiff. (Doc. 24). By way of its Motion, Defendant seeks to obtain a physical examination of Plaintiff Christa Roberts (hereinafter "Plaintiff"), to be performed by neuropsychologist Jason Demery, M.D., because Plaintiff has alleged to have suffered mental and/or cognitive injury as a result of a motor vehicle accident that occurred on January 16, 2022. Pursuant to Rule 35 of the Federal Rules of Civil Procedure, when an action is pending, the court may order a party whose mental or physical condition is in controversy to submit to examination by a suitably licensed or certified examiner. Fed. R. Civ. P. 35(a)(1). In this instance, the physical examination of Plaintiff relates to alleged personal injuries Plaintiff suffered and placed into issue. Defendant states that Plaintiff has agreed to make herself available to appear for a neuropsychological

CME with Jason Demery, M.D. on January 10, 2025, from 10 a.m. to 3:00 p.m. at Woodland Corporate Center, 8270 Woodland Center Blvd, Tampa FL, 33614. Accordingly, pursuant to Rule 35 of the Federal Rules of Civil Procedure, it is hereby

ORDERED:

1. Defendant's Motion to Compel Compulsory Medical Examination of Plaintiff (Doc. 24) is GRANTED; and
2. Plaintiff's physical examination will proceed in the time, place, and manner and within the scope and conditions set forth herein and as stipulated between the parties.

DONE AND ORDERED in Tampa, Florida, this 25th day of July 2024.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record