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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

ADREE EDMO,

Plaintiff,

v.

IDAHO DEPARTMENT OF
CORRECTION; HENRY ATENCIO, in his
official capacity; JEFF ZMUDA, in his
official capacity; HOWARD KEITH
YORDY, in his official and individual
capacities; CORIZON, INC.; SCOTT
ELIASON; MURRAY YOUNG; RICHARD
CRAIG; RONA SIEGERT; CATHERINE
WHINNERY; AND DOES 1-15;

Defendants.

CIVIL ACTION FILE

NO. 1:17-cv-151-BLW

**MOTION TO SHORTEN TIME RE:
CORIZON DEFENDANTS' MOTION
FOR RULE 35 EXAMINATION**

Defendants, Corizon Inc., Scott Eliason, Murray Young, and Catherine Whinnery ("Corizon Defendants"), hereby move for an order shortening the time for hearing a motion under Rules 6(c)(1) and 35 of the Federal Rules of Civil Procedure and other applicable rules and laws,

so as to permit Corizon Defendants' Motion for a Rule 35 Examination to be heard by the Court by August 8, 2018. This Motion is supported by a supporting Memorandum filed concurrently herewith and the record already before the Court.

DATED this 6th day of August, 2018.

PARSONS BEHLE & LATIMER

By: /s/ Dylan A. Eaton

Dylan A. Eaton
Counsel for Defendants Corizon Inc.,
Scott Eliason, Murray Young, and
Catherine Whinnery

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 6th day of August, 2018, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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By: /s/ Dylan A. Eaton
Dylan A. Eaton

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IDAHO DEPARTMENT OF CORRECTION;
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and individual capacities; CORIZON, INC.;
SCOTT ELIASON; MURRAY YOUNG;
RICHARD CRAIG; RONA SIEGERT;
CATHERINE WHINNERY; AND DOES 1-
15;

Defendants.

CIVIL ACTION FILE

NO. 1:17-cv-151-BLW

**MEMORANDUM IN SUPPORT OF
MOTION TO SHORTEN TIME RE:
CORIZON DEFENDANTS’ MOTION
FOR RULE 35 EXAMINATION**

Defendants, Corizon Inc., Scott Eliason, Murray Young, and Catherine Whinnery (“Corizon Defendants”), have filed a Motion for a Rule 35 Examination to be conducted by their expert psychiatrist Keelin Garvey, M.D. on August 10, 2018. Dr. Garvey has reserved flights from

the Boston area to Boise to conduct a Rule 35 examination/clinical interview of Plaintiff on August 10, 2018. Due to her personal and professional schedule and Defendants' expert disclosure deadline of August 31, 2018, she needs to conduct the interview of Plaintiff on August 10, 2018. [See Declaration of Dylan A. Eaton in Support of Motion for Rule 35 Examination, paragraph 9.] Arrangements for this clinical interview have already been scheduled with the Idaho Department of Correction as well. [Id.] Additionally, the clinical interview needs to occur on August 10, 2018 so as to avoid Corizon Defendants from asking for an extension of time to disclose expert opinions since Dr. Garvey needs adequate time to process the clinical interview along with the other materials before rendering her opinion. Plaintiff's counsel and Corizon Defendants' counsel have not come to an agreement regarding a stipulation for Dr. Garvey's clinical interview. Therefore, Corizon Defendants respectfully ask the Court to conduct a brief telephone hearing by August 8, 2018, on the Motion for Rule 35 Examination so that the issues may be resolved before Dr. Garvey's flies from Boston to Boise to conduct this interview. This should be a relatively short matter that the court can quickly decide within its discretion.

DATED this 6th day of August, 2018.

PARSONS BEHLE & LATIMER

By: /s/ Dylan A. Eaton

Dylan A. Eaton
Counsel for Defendants Corizon Inc.,
Scott Eliason, Murray Young, and
Catherine Whinnery

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By: /s/ Dylan A. Eaton
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