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Attorneys for Defendant LeoPalace Resort

IN THE DISTRICT COURT OF GUAM

U.S. EQUAL EMPLOYMENT )  
OPPORTUNITY COMMISSION, )

Plaintiff, )

vs. )

LEO PALACE RESORT, )

Defendant. )

CIVIL CASE NO. 06-00028

**ORDER re:**

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JENNIFER HOLBROOK, )  
VIVIENE VILLANUEVA and )  
ROSEMARIE TAIMANGLO, )

Plaintiff-Intervenors, )

vs. )

MDI GUAM CORPORATION dba LEO )  
PALACE RESORT MANENGGON HILLS )  
and DOES 1 through 10, )

Defendants. )

**(1) MOTION TO COMPEL TESTIMONY )  
AND PRODUCTION OF DOCUMENTS, OR )  
IN THE ALTERNATIVE, TO DISMISS )  
EMOTIONAL DISTRESS CLAIMS;**

**(2) MOTION TO EXTEND DISCOVERY )  
COMPLETION DEADLINE;**

**(3) MOTION FOR INDEPENDENT )  
MEDICAL EXAMINATION.**

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This matter came before the court on August 29, 2007, at the hour of 1:30 pm on several motions filed by Defendant Leoplace Resort (“Leoplace”). Good cause being shown, IT IS HEREBY ORDERED:

1. Leopalace's motion to compel is granted. Plaintiff-Intervenors through their therapists are ordered to produce, not later than 4:00 p.m. on the third (3<sup>rd</sup>) day after their receipt of this Order, all medical records in their possession, including without limitation handwritten notes, related to any of the Plaintiff-Intervenors in this case. Leopalace may re-depose these therapists in connection with these medical records within a reasonable time, but may not re-depose Plaintiff-Intervenors.

2. Leopalace's alternative motion to preclude emotional distress claims is premature and is therefore denied without prejudice.

3. Leopalace's motion for an extension of the current discovery deadline is granted. The parties shall complete all remaining discovery within thirty (30) days of the date of this Order. Leopalace shall have thirty (30) days from the date of this Order within which to retain a medical expert and deliver an expert medical report to the other parties. Plaintiff EEOC and Plaintiff-Intervenors shall thereafter have two (2) weeks within which to take the deposition of Leopalace's medical expert.

4. Leopalace's motion for an independent medical examination is denied.

IT IS SO ORDERED.



**/s/ Joaquin V.E. Manibusan, Jr.**  
**U.S. Magistrate Judge**  
**Dated: Sep 14, 2007**