

Cal Code Civ Proc § 2032.250

This document is current with urgency legislation through Chapter 3 of the 2013 Regular Session of the 2013-2014 Legislature.

[Deering's California Code Annotated](#) > [CODE OF CIVIL PROCEDURE](#) > [Part 4.](#) > [Title 4.](#) > [Chapter 15.](#) > [Article 2.](#)

§ 2032.250. Motion for compliance on receipt of response; Monetary sanction

- (a) If a defendant who has demanded a physical examination under this article, on receipt of the plaintiff's response to that demand, deems that any modification of the demand, or any refusal to submit to the physical examination is unwarranted, that defendant may move for an order compelling compliance with the demand. This motion shall be accompanied by a meet and confer declaration under Section 2016.040.
- (b) The court shall impose a monetary sanction under Chapter 7 (commencing with Section 2023.010) against any party, person, or attorney who unsuccessfully makes or opposes a motion to compel compliance with a demand for a physical examination, unless it finds that the one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust.

History

Added Stats 2004 ch 182 § 23 (AB 3081), operative July 1, 2005.

Historical Derivation:

Former CCP § 2032(c)(7), added Stats 1986 ch 1336 § 1, amended Stats 1987 ch 86 § 14, Stats 1988 ch 553 § 5, Stats 1992 ch 163 § 65, (ch 615 prevails), ch 615 § 6, Stats 1993 ch 219 § 71.

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