

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

MARY CUMMINS)	CIVIL ACTION
Plaintiff,)	
)	
vs.)	
AMANDA LOLLAR, BAT WORLD)	Civil Action No.: 4:12-CV-00560-Y
SANCTUARY, JOHN DOES 1-10)	
)	
Defendants.)	
)	
)	JURY

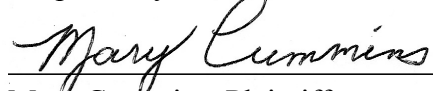
**MOTION TO RECONSIDER MOTION FOR STAY OF PROCEEDINGS FOR
MEDICAL REASONS**

Plaintiff in the above-referenced matter moves this Court to stay proceedings and toll court deadlines because of Plaintiff’s severe medical issues caused by the accident which prompted the filing of this complaint. This motion is based on the statements in this motion and the previous motion for stay. Plaintiff adds a new declaration and a letter from Plaintiff’s doctor Dr Thomas Marinaro. Dr Marinaro states Plaintiff “cannot travel or perform any type of physical activity.”

Based upon the foregoing matters, Plaintiff urges the Court to grant this motion and allow a stay of six months so Plaintiff may receive medical treatment and surgery.

DATED: July 7, 2015

Respectfully submitted,



Mary Cummins, Plaintiff
645 W. 9th St. #110-140
Los Angeles, CA 90015-1640
In Pro Per
Direct: (310) 877-4770

DECLARATION OF PLAINTIFF MARY CUMMINS

I, MARY CUMMINS, declare as follows:

1. I am Mary Cummins Plaintiff in pro per. I make this declaration on my personal knowledge of the facts set forth herein.
2. I suffered a head and back injury at Bat World Sanctuary June 2010 as per my original complaint.
3. As per my MRI report which Defendants have a copy I herniated my L5/S1 disc in the fall and part of the disc broke off and fell down my spine 1.2 cm pressing on my sciatic nerve.
4. My private health insurance never paid for any medical treatment due to a high deductible. For this reason I had to pay cash for minimal care.
5. When I was finally penniless because of this injury I applied for Medi-Cal which is free state health insurance for people with no money or assets and received it after they verified I had no money or assets.
6. Medi-Cal insurance approval procedures as one can imagine are very lengthy and involved. One must have an initial visit with GP. GP must diagnose and prescribe medication. If that doesn't work, GP refers to pain specialist. Pain specialist must diagnose then prescribe an initial epidural. Insurance takes six weeks to approve the appointment then the procedure. It takes another six to eight weeks to schedule the procedure. If that doesn't work, patient has to contact pain specialist and request insurance approval for follow up visit. This takes six weeks to approve the visit. It takes another six to eight weeks to schedule the visit. Another two epidurals must be given before patient is referred to surgeon. If an insurance approval expires before an appointment can be had, patient has to request insurance approval for a doctor visit to request another insurance approval for the procedure.

7. I have only had one epidural and am still in severe pain unable to sit or stand more than a few minutes at a time. None of the medication I've been given has provided any relief from the constant pain and inability to move, sit or stand.
8. My GP and pain specialists both stated that I will need surgery no matter what.
9. I need two more epidurals then will need a new MRI, two appointments with surgeon then will need to schedule surgery. This will take at least six months at this rate of six to 12 weeks per approval of appointment or procedure.
10. I have been told I will need at least four weeks to heal post surgery.
11. I am therefore requesting a minimum of six to nine months stay in the proceedings.
12. I cannot sit for a deposition or settlement conference. I cannot travel.

I, declare under penalty of perjury under the laws of the State of California and Texas that the foregoing is true and correct.

Executed on July 7, 2015 at Los Angeles, California.

By: Mary Cummins
MARY CUMMINS

EXHIBIT 1



Mary Cummins <mmmarycummins@gmail.com>

Re: Patient Mary Cummins here

tom marinaro <drtomprc@gmail.com>
To: Mary Cummins <mmmarycummins@gmail.com>

Thu, Jul 2, 2015 at 9:00 AM

To Whom It May Concern
Re: Disability

The following patient Ms Cummins, has been treating in our office for a lower back condition. Due to the nature of the condition it is advised she refrain from any physical activities, including travel which can aggravate & prolong her recovery.

If should have any questions, please call me at [323-653-3344](tel:323-653-3344)

Thank you

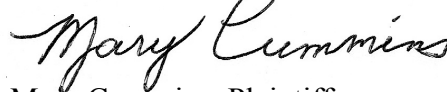
Dr Thomas Marinaro
[323-653-3344](tel:323-653-3344)

Sent from my iPad

CERTIFICATE OF CONFERENCE

On July 3, 2015, I conferred with Daniel Sullivan attorney for Plaintiffs Amanda Lollar, Bat World Sanctuary. Defendants would not agree to this motion to reconsider motion for stay for medical reasons. Defendants also would not agree to settlement conference by phone or brief in that same email conference.

Respectfully submitted,

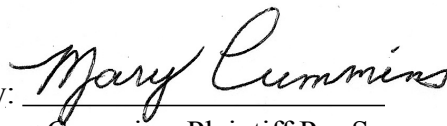


Mary Cummins, Plaintiff
645 W. 9th St. #110-140
Los Angeles, CA 90015-1640
July 7, 2015

CERTIFICATE OF SERVICE

I, Mary Cummins, hereby certify that a copy of **MOTION TO RECONSIDER MOTION FOR STAY OF PROCEEDINGS FOR MEDICAL REASONS** was served on the Defendants' Attorneys of record by CM/ECF, FAX and EMAIL at,

Randy Turner
Daniel Sullivan
Bailey & Galyen
1300 Summit Ave. #650
Fort Worth, Texas 76102
rturner@galyen.com
dsullivan@galyen.com

By: 
Mary Cummins, Plaintiff Pro Se
July 7, 2015