

HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JEFF OLBERG, an individual, CECILIA ANA PALAO-VARGAS, an individual, MICHAEL CLOTHIER, an individual, and JACOB THOMPSON, an individual, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

ALLSTATE INSURANCE COMPANY, an Illinois Corporation and ALLSTATE FIRE AND CASUALTY INSURANCE COMPANY, an Illinois Corporation, and CCC INTELLIGENT SOLUTIONS INCORPORATED, a Delaware Corporation

Defendants.

Case No. 2:18-cv-00573-JCC

[PROPOSED] ORDER EXTENDING DEADLINE TO SUBMIT JOINT STATUS REPORT

NOTE ON MOTION CALENDAR:
October 20, 2022

Pursuant to Local Rule 7(d)(1), Plaintiffs Jeff Olberg, Cecilia Ana Palao-Vargas Michael Clothier, and Jacob Thompson; and Defendants Allstate Insurance Company, Allstate Fire and Casualty Insurance Company, and CCC Intelligent Solutions Inc. (“CCC”) (collectively, the “Parties”) hereby stipulate as follows:

1. WHEREAS, on July 23, 2021, this Court entered its Minute Order (Dkt. No. 169) staying a decision on Plaintiffs’ motion for class certification (Dkt. Nos. 104, 106) and ordering the Parties to provide the Court with a joint written status report and proposed case schedule within ten days after the Ninth Circuit Court of Appeals issued its mandate in *Lara v. First Nat’l Ins. Co. of Am.*, Case No. 21-35126 (9th Cir. 2021) (“*Lara*”).

2. On February 11, the Ninth Circuit filed its opinion in *Lara* affirming Judge Bryan’s

1 denial of class certification in *Lundquist v. First Nat'l Insurance Co. of Am.*, Case No. 3:18-cv-
2 05301-RJB. *Lara*, Dkt. No. 86.

3 3. On March 28, 2022, the plaintiffs-appellants in *Lara* petitioned for rehearing and
4 rehearing en banc. *Lara*, Dkt. No. 89.

5 4. On May 10, 2022, the Ninth Circuit denied the petition for rehearing and rehearing
6 en banc in *Lara*. *Lara*, Dkt. No. 106.

7 5. On June 7, 2022, the Ninth Circuit issued its mandate in *Lara*. *Lara*, Dkt. No. 111.
8 Accordingly, the deadline for the Parties to submit their joint status report is June 17, 2022.

9 6. On June 16, 2022, the Parties filed a Stipulated Motion To Extend Deadline To
10 Submit Joint Status Report, Dkt. No. 175, which this Court granted on June 17, 2022, Dkt. No.
11 176.

12 7. On June 24, 2022, the Parties filed a Stipulated Motion To Extend Deadline To
13 Submit Joint Status Report, Dkt. No. 177, which this Court granted on June 27, 2022, Dkt. No.
14 178.

15 8. On July 7, 2022, the Parties filed a Stipulated Motion To Extend Deadline To
16 Submit Joint Status Report, Dkt. No. 179, which this Court granted on July 7, 2022, Dkt. No. 180,
17 extending the deadline to submit a joint status report to August 22, 2022.

18 9. On August 19, 2022, the Parties filed a Stipulated Motion To Extend Deadline To
19 Submit Joint Status Report, Dkt. No. 181, which this Court granted on August 22, 2022, Dkt. No.
20 182, extending the deadline to submit a joint status report to September 21, 2022.

21 10. On September 21, 2022, the Parties filed a Stipulated Motion To Extend Deadline
22 To Submit Joint Status Report, Dkt. No. 183, which this Court granted on September 22, 2022,
23 Dkt. No. 184, extending the deadline to submit a joint status report to October 21, 2022.

1 11. The Parties jointly and respectfully request an additional extension of 31 days for
2 the deadline to submit a joint status report. The Parties are continuing to pursue settlement
3 negotiations, and the requested extension will allow the Parties to conduct those negotiations
4 without the pressure of immediate court deadlines.

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6 Based on the foregoing, the Parties stipulate and agree that good cause exists to extend the
7 deadline to submit a joint status report to November 21, 2022.

8 PURSUANT TO STIPULATION, IT IS SO ORDERED this 24th day of October 2022.

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12 John C. Coughenour
13 UNITED STATES DISTRICT JUDGE

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15 Dated: October 20, 2022

16 Respectfully submitted,

<p>17 <u>/s/ Steve M. Berman</u> 18 Steve W. Berman 19 Hagens Berman Sobol Shapiro LLP 20 1301 2nd Avenue, Suite 2000 21 Seattle, WA 98101 22 23 Attorney for Plaintiff</p>	<p>24 <u>/s/ Kathleen M. O'Sullivan</u> 25 Kathleen M. O'Sullivan, WSBA No. 27850 26 Perkins Coie LLP 27 1201 Third Avenue, Suite 4900 28 Seattle, WA 98101 Telephone: 206.583.8888 Facsimile: 206.583.8500 Email: KOSullivan@perkinscoie.com Attorneys for Defendant CCC Intelligent Solutions Inc.</p>
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<p>9 David L. Woloshin 10 Dina S. Ronsayro 11 Astor Weiss Kaplan & Mandel, LLP 200 South Broad Street, Suite 600 Philadelphia, PA 19102 12 Attorneys for Plaintiffs 13 14</p>	<p>Steven J. Pacini (pro hac vice) Latham & Watkins LLP 200 Clarendon Street 27th Floor Boston, MA 02116 Telephone: 617.880.4516 Email: steven.pacini@lw.com Attorneys for Defendant CCC Information Services Inc.</p>
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<p><u>/s/ Peter J. Valeta</u> Wendy Enerson (pro hac vice) Peter J. Valeta (pro hac vice) Cozen O'Connor 123 North Wacker Drive, Suite 1800 Chicago, Illinois 60606 Telephone: (312) 382-3100 Email: wenerson@cozen.com pvaleta@cozen.com</p> <p>Attorneys for Defendants Allstate Insurance Company and Allstate Fire and Casualty Insurance Company</p>	
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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on October 20, 2022 a true and correct copy of the foregoing was filed electronically by CM/ECF, which caused notice to be sent to all counsel of record.

DATED this 20th day of October, 2022.

s/ Marguerite M. Sullivan