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Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PACIFIC WOODTECH CORPORATION,
a Washington corporation,

Plaintiff,

v.

DANIEL SEMSAK, an individual,

Defendant.

No. 2:19-cv-01984 BJR

**JOINT MOTION TO EXTEND
TEMPORARY INJUNCTION AND TO
CONTINUE DEADLINE FOR
DEFENDANT TO PRODUCE
DOCUMENTS**

Plaintiff Pacific Woodtech Corporation and Defendant Daniel Semsak jointly move the Court to extend the temporary injunction currently in place and set to expire on July 1, 2020, until July 24, 2020. This joint motion is without prejudice to Defendant’s right to object to any further extension of the temporary injunction currently in place, or to dispute any of Plaintiff’s factual or legal contentions that underlie the temporary injunction. Defendant’s joinder in this motion may not be construed as an admission of liability, or of any of the facts alleged in Plaintiff’s pleadings that were not specifically admitted by Defendant in its Answer to Complaint, Affirmative Defenses, and Counterclaims. ECF No. 23.

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JOINT MOTION TO EXTEND TEMPORARY INJUNCTION
AND TO CONTINUE DEADLINE TO PRODUCE DOCUMENTS - 1
(Cause No. 2:19-cv-01984 BJR)

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STOEL RIVES LLP
ATTORNEYS
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1 Plaintiff and Defendant also jointly move the Court to extend the deadline for Defendant
2 to produce privilege and relevancy logs per the Stipulated Order Governing Discovery of
3 Electronically Stored Information (the “ESI Order,” ECF No. 33) until July 11, 2020.

4 **FACTS SUPPORTING EXTENSION**

5 1. On December 6, 2019, the Court entered a temporary protective order enjoining
6 Defendant from disclosing or using Plaintiff’s confidential information and trade secrets and
7 requiring Defendant and Murphy Company to preserve all evidence in whatever form currently
8 available related to Defendant’s confidential information. ECF No. 11.

9 2. The parties agreed to the extension of the terms of the temporary protective order
10 in the form of a temporary injunction while they negotiated the protocol for the inspection of
11 Defendant’s home and work computers. On December 17, 2019, the Court converted the
12 temporary restraining order to a temporary injunction under Federal Rule of Civil Procedure
13 65(a) and ordered it to continue in effect until January 31, 2020. ECF No. 22. The Court also
14 ordered the parties to update the Court on the progress of their negotiations no later than January
15 10, 2020. *Id.*

16 3. On January 10, 2020, the parties filed a joint motion to extend the temporary
17 injunction. ECF No. 26. The Court granted that motion extending the temporary injunction until
18 February 29, 2020. ECF No. 27.

19 4. On February 18, 2020, the parties filed a joint motion to extend the temporary
20 injunction a second time. ECF No. 28. The Court granted that motion extending the temporary
21 injunction until May 1, 2020. ECF No. 29.

22 5. On April 28, 2020, the parties filed a joint motion to extend the temporary
23 injunction a third time. ECF No. 35. The Court granted that motion extending the temporary
24 injunction until July 1, 2020. ECF No. 36.

25 6. Following collection and imaging of electronic devices tendered to eDiscovery by
26 Defendant and receipt of eDiscovery’s report per the ESI Order, the parties promptly entered

1 into settlement discussions. To date, the parties have exchanged multiple settlement offers and
2 have conferred extensively via telephone on two occasions. In light of these ongoing settlement
3 efforts, the parties have agreed to postpone Defendant’s counsel’s review of documents resulting
4 from the Special Master’s work, preparation of associated privilege and relevancy logs, and
5 subsequent production of non-privileged responsive documents, in order to allow resources to be
6 dedicated to conflict resolution efforts. The parties accordingly seek to postpone all deadlines
7 under the ESI Order for a reasonable period to accommodate ongoing settlement negotiations,
8 and seek a corresponding extension of the temporary injunction.

9 **REQUESTED EXTENSION**

10 The parties have conferred and agree that an extension of the temporary injunction would
11 be appropriate to give the Defendant time to review and produce documents and Plaintiff time to
12 review produced documents in the event the settlement negotiations are unsuccessful. The

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1 parties accordingly jointly move and respectfully request that the Court extend the temporary
2 injunction until July 24, 2020, and the deadline for Defendant to produce privilege and relevancy
3 logs pursuant to the ESI Order until July 11, 2020.

4
5 Dated this 15th day of June, 2020.

Dated this 15th day of June, 2020.

6 STOEL RIVES LLP

HAGLUND KELLEY LLP

7 By: s/James M. Shore

By: s/via email authorization on 6/15/20

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19 *Attorneys for Defendant Daniel Semsak*

1 **ORDER**

2 **The Joint Motion to Extend Temporary Injunction is GRANTED.** The temporary
3 injunction is continued in effect until July 24, 2020. The deadline for Defendant to produce
4 privilege and relevancy logs pursuant to the ESI Order is continued to July 11, 2020.

5 Dated this 15th day of June, 2020.

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8 _____
9 The Honorable Barbara J. Rothstein
10 United States District Court Judge

11 PRESENTED BY:

12 STOEL RIVES LLP

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Attorneys for Plaintiff Pacific Woodtech Corporation

1 STIPULATED TO AND APPROVED AS TO FORM
2 AND CONTENT BY, AND NOTICE OF
PRESENTATION WAIVED BY:

3 HAGLUND KELLEY LLP

4 By: *s/via email authorization on 6/15/20*

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15 *Attorneys for Defendant Daniel Semsak*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on June 15, 2020, the foregoing document was filed using the
3 Court's electronic court filing system, which will send electronic service to all parties who have
4 appeared in the action.
5

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