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*Attorneys for Defendant
 Southwest Behavioral & Health Services, Inc.*

**UNITED STATES DISTRICT COURT
 DISTRICT OF OREGON
 PORTLAND DIVISION**

ENSOFTEK, INC., an Oregon corporation,

Plaintiff,

v.

SOUTHWEST BEHAVIORAL & HEALTH
 SERVICES, INC., an Arizona corporation,

Defendant.

Case No. 3:19-cv-00615-MO

**ORDER GRANTING
 STIPULATION**

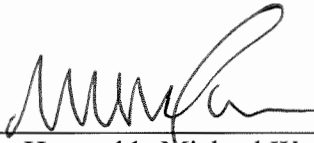
Based on the parties' Stipulation, and good cause appearing,

IT IS ORDERED that except for defenses that existed at the time that Southwest Behavioral & Health Services, Inc. (“SBHS”) filed its original complaint (the Arizona Suit), EnSoftek, Inc. (“EnSoftek”) will not assert the defense of res judicata, claim preclusion, issue preclusion, estoppel, failure to assert a compulsory counterclaim, or similar procedural defenses to SBHS’s counterclaim in the Oregon Suit. The timeliness of claims or the validity of a statute of limitations (or laches) defense will relate back to the filing date of the claims of the Arizona Suit.

IT IS FURTHER ORDERED that attorney’s fees and costs accrued in the Arizona Suit will be decided at the conclusion of this suit, if appropriate.

IT IS FURTHER ORDERED that Defendant SBHS’s motion to dismiss is withdrawn.

IT IS FURTHER ORDERED that Defendant SBHS has ten business days from the date of this Order to file its answer and any compulsory counterclaim.



The Honorable Michael W. Mosman
10/7/19

Submitted by:
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Of Attorneys for Defendant
Southwest Behavioral & Health Services, Inc.