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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CRYSTAL CONSERVATION COALITION,

Plaintiffs,

v.

CRYSTAL MOUNTAIN, INC.,

Defendants.

Case No. C06-1770RSL

**ORDER REOPENING CASE AND
SETTING DEADLINE FOR JOINT
STATUS REPORT**

This matter comes before the Court on “Plaintiff’s Motion to Reopen Proceedings and to Set Scheduling Conference.” Dkt. # 17. Defendant does not oppose the motion. The Court declines to schedule a conference, however, and instead sets the following dates for the parties to confer, disclose witnesses, documents, damage calculations, and insurance agreements, and submit a Joint Status Report and Discovery Plan:

- | | |
|--|---------------|
| Deadline for FRCP 26(f) Conference: | June 5, 2017 |
| Disclosures Pursuant to FRCP 26(a)(1): | June 23, 2017 |
| Combined Joint Status Report and Discovery Plan as Required by FRCP 26(f) and LCR 26(f): | June 30, 2017 |

1 The deadlines above may be extended only by the Court. Any request for an extension
2 should be made by telephone to Teri Roberts, the judicial assistant, at (206) 370-8810. The
3 parties shall meet and confer before contacting the Court to request an extension.

4 **II. JOINT STATUS REPORT & DISCOVERY PLAN**

5 All counsel are directed to confer and provide the Court with a combined Joint Status
6 Report and Discovery Plan (the "Report") by June 16, 2017. This conference shall be by direct
7 and personal communication, whether that be a face-to-face meeting or a telephonic conference.
8 The Report will be used in setting a schedule for the prompt completion of the case and the
9 parties are reminded of their obligation to cooperate to secure the just, speedy, and inexpensive
10 resolution of this case. FRCP 1. It must contain the following information by corresponding
11 paragraph numbers:

- 12 1. A statement of the nature and complexity of the issues.
- 13 2. A proposed deadline for joining additional parties.
- 14 3. The parties have the right to consent to assignment of this case to a full time
15 United States Magistrate Judge, pursuant to 28 U.S.C. §636(c) and Local Magistrate Judges'
16 Rule 13 to conduct all proceedings. The Western District of Washington assigns a wide range of
17 cases to Magistrate Judges. The Magistrate Judges of this district thus have significant
18 experience in all types of civil matters filed in our court. Additional information about our
19 district's Magistrate Judges can be found at <http://www.wawd.uscourts.gov/judges>. The parties
20 should indicate whether they agree that the Honorable Mary Alice Theiler may conduct all
21 proceedings including trial and the entry of judgment. When responding to this question, the
22 parties should only respond "yes" or "no." Individual party responses should not be provided. A
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1 "yes" response should be indicated only if all parties consent. Otherwise, a "no" response should
2 be provided.

3 4. The existence of any related cases pending in this or other jurisdictions and a
4 proposal for how to handle them.

5 5. Whether initial disclosures were timely made under FRCP 26(a)(1) and any issues
6 regarding initial disclosures. If, on the due date of the Joint Status Report, all defendants or
7 respondents had not been served, counsel for plaintiff shall state when service will be effected,
8 why it was not made earlier, and a proposed schedule for the required FRCP 26(f) conference
9 and FRCP 26(a)(1) disclosures.

10 6. What changes, if any, should be made in the timing or form of expert and pretrial
11 disclosures under FRCP 26(a)(2)-(4).

12 7. The subjects, timing, and potential phasing of discovery, and how the parties
13 intend to manage discovery to promote the expeditious and inexpensive resolution of the case,
14 specifically including consideration of the items set forth in LCR 26(f)(1)(D).

15 8. Agreements or issues related to the preservation of discoverable information and
16 the scope of the preservation obligation.

17 9. Whether the case will involve Electronically Stored Information ("ESI"), how the
18 parties intend to preserve and produce ESI, and whether the parties agree to adopt this district's
19 Model Agreement Regarding Discovery of ESI.

20 10. Whether the case will involve unique or extensive claims of privilege or work
21 product protection. If documents responsive to a discovery request are withheld on a claim of
22 privilege or other protection from disclosure, a privilege log must be produced within the time
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1 frames established for discovery responses. Simply asserting an objection on the ground of
2 privilege or noting that privileged documents have been withheld is not sufficient.

3 11. Procedures for handling the inadvertent disclosure of privileged information.

4 12. What changes, if any, should be made to the limitations on discovery.

5 13. The date discovery can be completed.

6 14. Suggestions for the prompt and efficient resolution of the case, such as the
7 phasing of motions to resolve dispositive issues or the bifurcation of liability and damage issues.

8 15. Whether the parties intend to participate in an alternative dispute resolution
9 process beyond the required settlement conference, such as mediation or the individualized trial
10 program set forth in LCR 39.2.

11 16. The month the case will be ready for trial. The Court expects that most civil cases
12 will be ready for trial within one year of filing the Joint Status Report and Discovery Plan.

13 Identify any calendaring conflicts that should be considered when setting a trial date.

14 17. Whether the case will be jury or non-jury.

15 18. The number of trial days required.

16 19. List the dates on which each and every non-governmental corporate party filed its
17 disclosure statement pursuant to FRCP 7.1 and LCR 7.1.

18 If the parties are unable to agree on any part of the Report, they may answer in separate
19 paragraphs. No separate reports are to be filed. If the parties wish to have a status conference
20 with the Court at any time during the pendency of this action, they should notify Teri Roberts by
21 telephone at (206) 370-8810.

1 the filing party, particularly if a party submits lengthy deposition testimony without highlighting
2 or other required markings.

3 **V. PRIVACY POLICY**

4 Pursuant to Federal Rule of Civil Procedure 5.2 and LCR 5.2, parties must redact the
5 following information from documents and exhibits before they are filed with the court:


- 6 * Dates of Birth - redact to the year of birth
- 7 * Names of Minor Children - redact to the initials
- 8 * Social Security Numbers and Taxpayer Identification Numbers - redact in their entirety
- 9 * Financial Accounting Information - redact to the last four digits
- 10 * Passport Numbers and Driver License Numbers - redact in their entirety

11 All documents filed in the above-captioned matter must comply with Federal Rule of
12 Civil Procedure 5.2 and LCR 5.2.

13 **VI. EARLY SETTLEMENT CONSIDERATION AND NOTIFICATION**

14 If settlement is achieved, counsel shall immediately notify Kerry Simonds, Deputy Clerk,
15 at (206) 370-8519. The parties are responsible for complying with the terms of this Order. The
16 Court may impose sanctions on any party who fails to comply fully with this Order.

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18 Dated this 23rd day of May, 2016.

19 
20 Robert S. Lasnik
21 United States District Judge
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