

The Honorable Ricardo S. Martinez



FILED  
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OCT 10 2001 DB

AT SEATTLE,  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON,  
DEPUTY

07-CV-01620-M

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

Defendant The Professional Basketball Club, LLC ("TPBC"), removed this matter to the U.S. District Court on October 9. On September 26, 2007, while the matter was pending in King County Superior Court, defendant TPBC filed a motion to stay the lawsuit pending an arbitration brought by TPBC. Thereafter, the City of Seattle filed a pleading combining its opposition to TPBC's motion to stay and the City's own cross-motion to stay the arbitration. Pursuant to a stipulated briefing schedule, TPBC filed its reply brief and its opposition to the City's cross-motion on October 8, 2007. Finally, the City of Seattle filed its reply to TPBC's opposition to its cross-motion on October 9, 2007. Accordingly, TPBC's motion for a stay and City of Seattle's cross-motion are fully briefed and ripe for decision.

NOTE FOR HEARING (No. C07-1620RSM) - 1

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1 Pursuant to CR 101(c), if a motion is pending and undecided in the state court at the time  
2 of removal, it will not be considered unless and until the moving party notes the motion on the  
3 court's calendar in accordance with CR 7(d).

4 CR 7(d) provides that non-dispositive motions such as the ones at issue here shall be  
5 noted for consideration "no earlier than the third Friday after filing and service of the motion."  
6 CR 7(d)(3). Accordingly, because TPBC's motion to stay was filed and served on Wednesday,  
7 September 26, these motions, pursuant to CR 101(c) and 7(d), should be noted for hearing on  
8 Friday, October 19, 2007.

9 DATED this 10th day of October, 2007.

10 BYRNES & KELLER LLP

11 By 

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**CERTIFICATE OF SERVICE**

On the 10th day of October, 2007, I caused a true copy of the foregoing document to be served on the following counsel of record via hand delivery:

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DATED in Seattle, Washington this 10th day of October, 2007.

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