

1 THE HONORABLE MARSHA J. PECHMAN  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 CURTIS OSWALT and FEDERAL  
11 INSURANCE CO.,

12 Plaintiffs,

13 v.

14 RESOLUTE INDUSTRIES, INC.,

15 Defendant,

16 v.

17 WEBASTO PRODUCTS NA, INC.,

18 Third Party Defendant.

IN ADMIRALTY

NO. C08-1600 MJP

STIPULATED MOTION AND ORDER RE  
EXTENDING MEDIATION DEADLINE

**Note for Consideration:**

Friday, January 15, 2010

19 The parties hereby stipulate and move the Court to extend the mediation date until after  
20 the Court rules on Third Party Defendant Webasto's pending motion for summary judgment.

21 A bench trial in this case is scheduled for March 1, 2010. The case scheduling order  
22 specifies that mediation shall take place by February 1, 2010. Counsel have conducted multiple  
23 discussions about settlement during the course of the case. However, no progress has been made  
24 toward resolving the case due to positions taken regarding the issues involved in Third Party  
25

STIPULATED MOTION AND ORDER RE EXTENDING MEDIATION  
DEADLINE (08-1600 MJP) - 1

1 Defendant Webasto's pending motion for summary judgment. Webasto and Resolute do not  
2 believe mediation can be successful prior to a ruling on this motion.

3 For these reasons the parties stipulate to moving the mediation date until after the Court  
4 rules on Webasto's summary judgment motion. The parties agree and respectfully request the  
5 Court to enter an Order amending the case schedule to require mediation within ten (10) days of  
6 entry of said ruling.  
7

8 DATED this 15<sup>th</sup> day of January, 2010.

9 GASPICH & WILLIAMS PLLC

MORAN WINDES & WONG

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1 **ORDER**

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3 The parties having stipulated to amend the case scheduling order to extend the mediation  
4 date until after the Court enters a decision on Third Party Defendant Webasto's motion for  
5 summary judgment, and good cause existing therefore,

6 **IT IS SO ORDERED.**

7 Mediation shall take place within ten (10) days following entry of the Court's Order on  
8 the pending motion for summary judgment.  
9

10 DATED this 25th day of January, 2010.

11  
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13 Marsha J. Pechman  
14 United States District Judge

15 Presented by:

16 GASPICH & WILLIAMS PLLC  
17

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1 Approved as to form; notice  
2 of presentation waived.

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4 By: s/Dennis Moran

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on January 15, 2010, I electronically filed the foregoing with the  
3 Clerk of the Court using the CM/ECF, which will send notification of such filing to the  
4 following: Dennis Moran, [dmoran@mwwlaw.net](mailto:dmoran@mwwlaw.net); Troy D. Greenfield,  
5 [Troy.Greenfield@Bullivant.com](mailto:Troy.Greenfield@Bullivant.com)  
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7 Dated this 15<sup>th</sup> day of January, 2010.

8  
9 s/Sibel Yasartur  
10 Sibel Yasartur