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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 JOSEPH SICILIA,

11 Plaintiff,

12 v.

13 THE BOEING COMPANY, et al.,

14 Defendants.

CASE NO. C09-0710

**ORDER SUMMARIZING  
RULINGS MADE DURING  
TELEPHONIC CONFERENCE**

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16 On August 11, 2010, the Court held a telephonic hearing in this matter. The Court  
17 summarizes its rulings as follows:

- 18 1. Plaintiff's motion to extend certain deadlines (Dkt. No. 54) is GRANTED IN PART  
19 and DENIED IN PART. Subject to the stipulations recited on the record, the parties  
20 shall complete fact depositions by September 1, 2010. The deadline for expert  
21 reports shall be October 1, 2010 and the deadline for expert discovery shall be  
22 October 22, 2010. All other deadlines remain unchanged.
- 23 2. Plaintiff's motion to compel (Dkt. No. 56) is DENIED without prejudice to file a  
24 renewed motion to compel under the unified format set forth by Local Rule

1 37(a)(1)(B). Plaintiff's motion fails to set forth the deficiencies in Defendants'  
2 responses and the Court cannot discern, on the record presented, whether the parties  
3 have had a good faith meet and confer session on this specific subject. Any renewed  
4 motion must be filed no later than 10 days from this Order. It is the Court's  
5 expectation that most, if not all, of these issues will be resolved by the meet and  
6 confer process.

- 7 3. Defendants' motion to strike Plaintiff's untimely requests for admission (Dkt. No. 78)  
8 is GRANTED. Local Rule 16(f) includes "requests for admission" as a "discovery  
9 procedure" subject to the deadlines set forth in the rule. Accordingly, they should  
10 have been "served sufficiently early that all responses are due before" the discovery  
11 deadline. CR 16(f).
- 12 4. The Court advises counsel that a notice of unavailability has no effect on the schedule  
13 in this case.
- 14 5. The Court further instructs Mr. Gilbert that Mr. Sicilia shall not be the attorney  
15 conducting the depositions or drafting pleadings in this matter. Either Mr. Gilbert or  
16 an associate must depose the witnesses.

17 The Clerk shall transmit a copy of this Order to all counsel of record.

18 Dated this 11th day of August 2010.

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20 Marsha J. Pechman  
21 United States District Judge