

1 letter threatening Rule 11 sanctions, draft multiple protective order proposals, file a motion for
2 entry of a protective order, and correspond actively with opposing counsel. *See Answer and*
3 *Counterclaims*, Docket No. 6, *Motion for Entry of Protective Order*, Docket No. 10, *Carlson*
4 *Declaration*, Docket No. 9, Ex. A; *Eagan Declaration*, Docket No. 12, Exs. A, H. We believe
5 that the real reason Coach refuses to confer is because Coach knows that, pursuant to the Civil
6 Rules, the Plaintiff cannot commence discovery until the Rule 26(f) conference takes place.

7 Rule 26(f) requires that the parties conduct an initial discovery conference “as soon as
8 practicable[.]” In the last five weeks, Coach has had ample opportunity to prepare itself for an
9 initial conference. Getting discovery underway promptly is particularly important in this class
10 action case, where the Local Rules require Plaintiff to file her motion for class certification
11 within 180 days of filing the Complaint. LR 23(a)(3). Defendant’s refusal to “get started” with
12 discovery has, and will continue to, seriously prejudice Plaintiff’s ability to diligently prosecute
13 this case.

14 We therefore respectfully request that the Court compel Defendant Coach to conduct a
15 rule 26(f) initial conference within seven days of entry of this Court’s Order.

16 DATED this 16th day of March, 2011.

17
18 /s/

19 _____
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28 Cause No. 2:11-CV-00214 RSM
PLAINTIFF’S MOTION TO COMPEL
RULE 26(F) CONFERENCE

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