

1 THE HONORABLE RONALD B. LEIGHTON

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7 UNITED STATES DISTRICT COURT  
8 FOR THE WESTERN DISTRICT OF WASHINGTON

9 CAROLYN ANDERSON,

10 Plaintiff,

11 v.

12 DOMINO'S PIZZA, INC., DOMINO'S  
13 PIZZA, LLC, FOUR OUR FAMILIES,  
14 INC. and CALL-EM-ALL, LLC,

15 Defendants.

CIVIL ACTION NO.: 2:11-cv-00902 RBL

**DEFENDANT CALL-EM-ALL, LLC's  
MOTION FOR EXTENSION OF TIME  
TO FILE EXPERT TESTIMONY UNDER  
FRCP 26**

Noted for Hearing: May 11, 2012

16 Defendant Call-Em-All, LLC ("CEA") hereby requests that the Court extend the  
17 deadline for CEA to file its expert report under Fed. R. Civ. P. 26. CEA's attorneys have  
18 identified an expert whom they would like to retain to provide expert testimony regarding the  
19 broadcasting industry and the categorizations of call broadcasters within that industry as it  
20 relates to the legal issues of this case. *See* Declaration of Scott Shaffer at ¶ 2. However,  
21 CEA's client contact was unreachable for some time due to an unexpected hospitalization of  
22 the client's father. *Id.* at ¶ 3. Without having been able to reach CEA's client contact, CEA's  
23 attorneys were unable to authorize the expert to incur expenses in performing the necessary  
24 work to provide this Court and the parties with his report. *Id.* However, on Wednesday April  
25 25, CEA was able to confer with its client who authorized CEA to retain the expert located.

MOTION FOR EXTENSION OF TIME TO FILE EXPERT  
TESTIMONY UNDER FRCP 26 – 1  
No. 2:11-cv-00902 RBL

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1 CEA is prepared to identify him immediately and have him commence preparing his report  
2 during the week of May 1st. *Id.* at ¶ 4. The trial date in this matter is September 24, 2012.  
3 CEA does not require any changes to the scheduling order if this extension is granted, and  
4 will accommodate discovery to its expert, therefore, the extension will not cause prejudice to  
5 any party. For the foregoing reasons, CEA respectfully requests that this Court **GRANT**  
6 Defendant Call-Em-All, LLC's Motion For Extension Of Time to File Expert Testimony  
7 Under FRCP 26.

8 Dated: April 27, 2012

9 Respectfully submitted,

10 **CORR CRONIN MICHELSON**  
11 **BAUMGARDNER & PREECE LLP**

12 */s/ Christina N. Dimock*

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ATTORNEYS FOR  
DEFENDANT CALL-EM-ALL, LLC

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies as follows:

3 I am employed at Corr Cronin Michelson Baumgardner & Preece LLP, attorneys of  
4 record for Defendant Call-Em-All, LLC herein.

5 I hereby certify that on this date, I electronically filed the attached foregoing with the  
6 Clerk of the Court using the CM/ECF system, which will send notification of such filing to  
7 the following persons:  
8

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*Domino's Pizza, LLC*

20 I declare under penalty of perjury under the laws of the state of Washington that  
21 the foregoing is true and correct.

22 DATED: April 27, 2012 at Seattle, Washington.

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25 Heidi M. Powell