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THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff,

vs.

CITY OF SEATTLE

Defendant.

CASE No. C12-1282JLR

**STIPULATED MOTION AND
~~PROPOSED~~ ORDER TO
EXTEND THE DEADLINES AND
FOR A BRIEFING SCHEDULE ON
THE MONITOR'S COMPLIANCE
STATUS REPORT**

**(Please Note on Calendar for:
September 8, 2017)**

Plaintiff, the United States of America, and Defendant, the City of Seattle (together, the "Parties"), respectfully move this Court to extend the deadline for the Parties to file their comments to the Monitor's Compliance Status Report ("Report") and to establish a briefing schedule, for the following reasons:

STIPULATION

Per the Court-approved Fourth Year Monitoring Plan, the Monitor and the Parties have been diligently and collaboratively discussing questions related to the significance of the Monitor's findings of "initial compliance" and how to measure sustained compliance, among other related questions. *See* Dkt. No. 294-1 at 22. These are complex and important questions.

The Monitor has indicated that he will file his Report on the same, on or before September

STIPULATED MOTION AND [PROPOSED] ORDER EXTENDING
DEADLINE FOR PARTIES' COMMENTS TO MONITOR'S REPORT
Case No. 12-CV-1282-JLR

UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
(206) 553-7970

1 9, 2017. Dkt. No. 409. Today, the Court notified “all interested parties to file any comments
2 concerning the Report no later than September 18, 2017.” Dkt. No. 414.

3 As this Court is aware, the City is a multi-faceted entity. The City Attorney must obtain
4 input from many stakeholders in the City family: the Mayor’s Office, the Seattle Police
5 Department, among others. Likewise, the United Department of Justice is a large, complex
6 organization, with decision-makers on both coasts. Finally, the Community Police Commission
7 (“CPC”), while not a party, is an important stakeholder granted amicus status in this matter, and is
8 an entity that requires some time in developing its substantive policy or other substantive positions,
9 in part because of its bi-monthly meeting schedule.¹ Each of these entities requires more than ten
10 days to respond to important deadlines in this matter.

11 Additionally, the Parties and CPC may benefit from additional time to discuss, amongst
12 themselves and with the Monitor, the content of the Monitor’s Report, whether to seek further
13 clarification or to seek consensus on certain issues, so as to narrow any issues for the Court.

14 Finally, since the Defendant maintains the burden of showing compliance with the Decree
15 (*see* Dkt. 3-1 ¶ 223), the Parties believe that a staggered briefing schedule would provide a more
16 orderly and efficient presentation to the Court. *See* Dkt. 3-1 ¶ 223 (“At all times, the City and SPD
17 will bear the burden of demonstrating substantial compliance with the Settlement Agreement.”).

18 For these reasons, the Parties request additional time to complete those discussions and to
19 prepare their respective responses to the Monitor’s Report, and therefore respectfully and jointly
20 move for the following briefing schedule:

- 21
- The comments of the City of Seattle are due on September 29, 2017;
 - The comments of the United States and the CPC are due on October 13, 2017;
- 22
23

24

25 ¹ This Motion is not brought on behalf of the CPC and should not be viewed to prejudice its desire to contract or to seek additional time if needed.

- Any comments in reply by the Monitor are due on October 20.

The Monitor does not oppose on this request.

DATED this 8th day of September, 2017.

For the UNITED STATES OF AMERICA:

ANNETTE L. HAYES
United States Attorney for the
Western District of Washington

JOHN GORE
ACTING Attorney General
Civil Rights Division

s/J. Michael Diaz

Kerry J. Keefe, Civil Chief
J. Michael Diaz, Assistant United States Attorney
Christina Fogg, Assistant United States Attorney
United States Attorney's Office
Western District of Washington
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: (206) 553-7970
Fax: (206) 553-4073

Steven H. Rosenbaum, Chief
Timothy D. Mygatt, Deputy Chief
Puneet Cheema, Trial Attorney
United States Department of Justice
Civil Rights Division
Special Litigation Section
950 Pennsylvania Avenue, NW
Washington, DC 20530
Phone: (202) 514-6255

For the CITY OF SEATTLE:

s/Josh Johnson

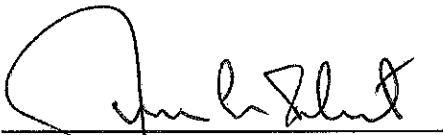
Peter S. Holmes, Seattle City Attorney
Josh Johnson, Assistant City Attorney
Seattle City Attorney's Office
701 5th Avenue, Suite 2050
Seattle, WA 98104
Telephone: (206) 684-8200
Email: peter.holmes@seattle.gov
Email: josh.johnson@seattle.gov

~~PROPOSED~~ ORDER

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The Parties having so stipulated, it is SO ORDERED.

DONE IN OPEN COURT this th 11 day of September, 2017,



THE HON. JAMES L. ROBART
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I certify that on the 8th day of September, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

Gary T Smith	gary.smith@seattle.gov
Hillary H McClure	hillarym@vjmlaw.com
Carlton Wm Seu	carlton.seu@seattle.gov
Kerry J. Keefe	Kerry.Keefe@usdoj.gov
Rebecca S. Cohen	Rebecca.Cohen@usdoj.gov
Timothy Mygatt	Timothy.Mygatt@usdoj.gov
Annette L. Hayes	Annette.Hayes@usdoj.gov
Christina Fogg	Christina.Fogg@usdoj.gov
Puneet Cheema	Puneet.Cheema2@usdoj.gov
Michael K. Ryan	Michael.Ryan@seattle.gov
Peter S. Holmes	Peter.Holmes@seattle.gov
Andrew T. Myerberg	Andrew.Myerberg@seattle.gov
Brian G. Maxey	Brian.Maxey@seattle.gov
Gregory C. Narver	Gregory.Narver@seattle.gov
Rebecca Boatright	Rebecca.Boatright@seattle.gov
Peter S. Ehrlichman	Ehrlichman.Peter@dorsey.com
Ronald R. Ward	Ron@wardsmithlaw.com
Matthew Barge	Matthewbarge@parc.info

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Eric M. Stahl Ericstahl@dwt.com
Kristina M Detwiler kdetwiler@unionattorneysnw.com
Josh Johnson josh.johnson@seattle.gov

DATED this 8th day of September, 2017.

/s/ J. Michael Diaz
J. Michael Diaz
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Tel: (206) 553-7970
Fax: (206) 553-4067
E-mail: Michael.Diaz@usdoj.gov