

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INGENCO HOLDINGS, LLC, et al.,

Plaintiffs,

v.

ACE AMERICAN INSURANCE
COMPANY,

Defendant.

CASE NO. C13-543RAJ

ORDER

This matter comes before the court on Defendant's motion to continue all pending case deadlines, including the trial date, by approximately 120 days. Plaintiffs do not oppose the request for a continuance, but they insist that a continuance of just 60 days will suffice. For the reasons stated herein, the court GRANTS the motion (Dkt. # 37), and directs the clerk to issue a new scheduling order (for all deadlines including and following the deadline for disclosing expert witness reports), based on a new trial date of June 8, 2015.

The parties agree that the principal wrinkle in their protracted discovery process is a delay in obtaining documents from the third party (Guild Associates, Inc.) who supplied the methane purification apparatus whose breakdown is at the core of this insurance coverage dispute. Not only is Plaintiff Bio Energy (Washington), LLC embroiled in contract litigation with Guild in the United States District Court for the Southern District of Ohio, Plaintiffs and Guild are embroiled in a dispute in the same court over Guild's

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1 obligation to respond to subpoenas relating to this suit. It appears that a resolution to the
2 discovery disputes with Guild will come relatively soon, although the parties disagree
3 about how quickly that resolution will allow them to complete discovery.

4 The court finds it unnecessary to determine which party correctly assesses how
5 long it will take to complete discovery. Plaintiffs do not suggest that they will suffer any
6 prejudice from an additional two months of discovery (and concomitant two-month delay
7 of the trial date). The 120-day continuance that Defendant proposes should give the
8 parties ample time to complete discovery. The court expects that no further continuances
9 will be necessary, and the court will not grant one unless the parties demonstrate
10 extraordinary circumstances.

11 DATED this 29th day of July, 2014.

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14 The Honorable Richard A. Jones
15 United States District Court Judge
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