

The Honorable Marsha J. Pechman

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

KENNETH WRIGHT, on his own behalf and on behalf of other similarly situated persons,

Plaintiff,

v.

LYFT, INC., a Delaware corporation,

Defendant.

NO. 2:14-cv-00421MJP
STIPULATED MOTION FOR AND
~~[PROPOSED]~~ ORDER
NOTE ON MOTION CALENDAR:
MAY 27, 2014

STIPULATION

1. Defendant has filed a Motion to Dismiss or for Stay (ECF No. 8) (“Motion to Dismiss”). Plaintiff has indicated that he intends to file an Amended Complaint, which he has the right to do without leave from the court any time up to 21 days from when the Motion to Dismiss was filed.
2. Because the Amended Complaint may impact the issues raised and arguments made in the Motion to Dismiss, the parties have agreed to (i) a date by which the Amended Complaint shall be filed, (ii) the withdrawal of the currently pending Motion to Dismiss, and (iii) a new date by which defendants shall file a revised or renewed Rule 12 motion or otherwise respond to the Amended Complaint. Those dates are set forth in the subjoined Proposed Order which the parties hereby stipulate may be entered.

STIPULATED MOTION FOR AND [PROPOSED] ORDER (NO. 2:14-cv-00421MJP) - 1

BYRNES • KELLER • CROMWELL, LLP
38TH FLOOR
1000 SECOND AVENUE
SEATTLE, WASHINGTON 98104
(206) 622-2000

1 Dated this 27th day of May, 2014.

2 HEYRICH KALISH MCGUIGAN PLLC BYRNES KELLER CROMWELL LLP

3
4
5 By: /s/ Donald Heyrich (per email
6 authorization)
7 Donald Heyrich, WSBA #23091
8 Heyrich Kalish McGuigan PLLC
9 600 Stewart Street, Suite 901
10 Seattle, WA 98101
11 Telephone: 206.838.2504
12 Facsimile: 206.260.3055
13 dheyrich@hkm.com
14 *Attorneys for Plaintiff*


By /s/ Bradley S. Keller
Bradley S. Keller, WSBA #10665
Byrnes Keller Cromwell LLP
1000 Second Ave., 38th Floor
Seattle, WA 98104
Telephone: 206.622.2000
Facsimile: 206.622.2522
bkeller@byrneskeller.com
Attorneys for Defendant

15
16
17
18
19
20
21
22
23
24
25
26
ORDER

Based upon the foregoing stipulation, it is hereby ordered as follows:

1. Plaintiff shall file his Amended Complaint by June 6, 2014.
2. Defendant's Motion to Dismiss (ECF No. 8) is deemed withdrawn without prejudice in light of the Amended Complaint to be filed.
3. Defendant shall have until June 26, 2014, to file either a revised or renewed Rule 12 motion or an Answer to the Amended Complaint.

Dated this 28th day of May, 2014.


Honorable Marsha J. Pechman
United States District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

The undersigned attorney certifies that on the 27th day of May, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel on record in the matter.

/s/ Bradley S. Keller

Byrnes Keller Cromwell LLP
1000 Second Avenue, 38th Floor
Seattle, WA 98104
Telephone: (206) 622-2000
Facsimile: (206) 622-2522
bkeller@byrneskeller.com

