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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 ESTATE OF FRANK B. LYNOTT, by and  
9 through BRUCE R. MOEN, personal  
representative,

10 Plaintiff,

11 v.

12 LAURIE A. LUCKOVICH, *et al.*,

13 Defendants.  
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No. C14-0503RSL

ORDER FOR FURTHER BRIEFING

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16 On January 22, 2018, the Court dismissed plaintiff's claims against defendants Daryl  
17 Trevor Reiche and Debra K. Campbell. Dkt. # 315. Plaintiff timely filed a motion for  
18 reconsideration, arguing that new evidence which could not be presented earlier to the Court  
19 justifies reversal.

20 Plaintiff has not shown that the Declaration of Eldon Faske could not have been brought  
21 to the Court's attention earlier with reasonable diligence. LCR 7(h)(1). Although the motion for  
22 summary judgment was noted for consideration on Friday, November 17, 2017, the Court did  
23 not issue its order until January 22, 2018. Not only did plaintiff fail to mention that there was  
24 additional evidence which it had been unable to obtain or to request a Rule 56(d) continuance in  
25 its opposition, but even after Mr. Faske became available in mid-December 2017, plaintiff failed  
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ORDER FOR FURTHER BRIEFING

