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THE HONORABLE MARSHA J. PECHMAN

U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

STEPHANIE OUTSEN,

Plaintiff,

v.

COLUMBIA ATHLETIC CLUBS, LLC, a
Washington limited liability corporation; H.
CYRUS OSKOUI, individually and the
marital community comprised thereof;

Defendants.

NO. 2:14-cv-00625-MJP

**STIPULATION AND ORDER
EXTENDING CERTAIN CASE
SCHEDULE DEADLINES**

NOTE ON MOTION CALENDAR:
January 16, 2015

The parties to this action, by and through their respective counsel of record, submit this Stipulated Motion and request that the Court extend the case deadlines as detailed below for the following reasons:

1. Defendants did not produce the relevant timecards and other payroll records relating to the hours Plaintiff worked in this wrongful termination and wage and hour case. Plaintiff did not know the particular records existed so that she could move to compel them prior to the Expert Report Deadline of November 24, 2014. Declaration of Stephanie Outsen (“Outsen Decl.”), ¶ 3. The parties believe prejudice to Plaintiff would be ameliorated if the Court would enter an order continuing the Expert Report Deadline for Plaintiff of November 24, 2014 to January 24, 2015.



1 2. Plaintiff has been working with her expert to calculate alleged damages based
2 on timecards and other discovery relating to the hours Plaintiff worked, but the process is
3 taking longer than expected. The parties have agreed that Plaintiff will produce her expert's
4 report on January 24, 2015. The parties intend to engage in settlement discussions once the
5 both parties have exchanged expert reports.
6

7 3. Plaintiff and lead counsel for Plaintiff, Ms. Hanley, are unavailable for the
8 deposition of Plaintiff prior to the discovery deadline of January 24, 2015. Lead Plaintiff's
9 counsel is taking depositions in another case out of state during part of the week of January
10 19, 2015 and in Seattle during the latter half of the week. Plaintiff is undergoing a medical
11 procedure that will make her unavailable for a deposition at least from January 15, 2015
12 through January 20, 2015, but may be unable to sit for a deposition for several additional
13 days. Outsen Decl., ¶ 2. Lead Plaintiff's counsel, Elizabeth Hanley filed Notices of
14 Unavailability with the Court for November 20, 2014 to December 2, 2014 and December 24,
15 2014 to January 8, 2015. Declaration of Elizabeth Hanley, ¶ 3. Plaintiff's counsel filed the
16 notices in advance of her unavailability and was out of state during both periods of time on
17 personal family matters. Id. Plaintiff has offered the date of February 4, 2015 for Plaintiff's
18 deposition, and requested the dates of February 5th and 20th for other depositions in this case.
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21 4. Defense counsel Angela Vogel is no longer with the firm of Gordon & Rees,
22 and David Silke is now lead defense counsel. Prior to taking over this case, Mr. Silke was
23 booked to be out of the country on a trip with his family from June 23 through July 17, 2015,
24 which conflicts with the set trial date of June 22, 2015. Declaration of David Silke, ¶ 2.

25 In order to allow sufficient time for expert discovery and to avoid motion practice that
26 may be unnecessary in the event of settlement, the parties agree it is appropriate for the Court



1 to extend each date following the deadline for reports from expert witness in the Order Setting
 2 Trial Date & Related Dates entered on July 10, 2014 (Dkt. No. 14), including the deadline for
 3 filing motions relating to discovery, discovery completion deadline, dispositive motion
 4 deadline, and other deadlines, including the trial date in this case, by two additional months.
 5

6 The parties agree and stipulate as follows:

7 **I. STIPULATION**

8 The Court should extend the case schedule deadlines and dates in the Order Setting
 9 Trial Date & Related Dates (Dkt. No. 14) as follows:

EVENT	CURRENT DEADLINE (Dkt. No. 14)	PROPOSED DEADLINE
Reports from expert witness under FRCP 26(a)(2) due	November 24, 2014	January 24, 2015
All motions related to discovery must be filed by and noted on the motion calendar on the third Friday thereafter (see CR7(d))	December 24, 2014	February 24, 2015
Discovery completed by	January 23, 2015	March 23, 2015
All dispositive motions must be filed by and noted on the motion calendar on the fourth Friday thereafter (see CR7(d))	February 23, 2015	April 23, 2015
All motions in limine must be filed by and noted on the motion calendar no earlier than the third Friday thereafter and no later than the Friday before the pretrial conference.	May 18, 2015	July 17, 2015
Agreed pretrial order due	June 10, 2015	August 10, 2015
Trial briefs, proposed voir dire questions, and proposed jury instructions	June 10, 2015	August 10, 2015
Pretrial conference	June 12, 2015 at 02:30 PM	August 12, 2015 at 02:30 PM
JURY TRIAL DATE	June 22, 2015	August 24, 2015

1 IT IS SO STIPULATED.

2 RESPECTFULLY SUBMITTED AND DATED this 16th day of January, 2015.

3
4
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II. ORDER

IT IS HEREBY ORDERED that the following deadlines and dates set forth in the Order Setting Trial Date & Related Dates (Dkt. No. 14) as follows are vacated and replaced with the following schedule:

EVENT	CURRENT DEADLINE (Dkt. No. 14)	PROPOSED DEADLINE
Reports from expert witness under FRCP 26(a)(2) due	November 24, 2014	January 24, 2015
All motions related to discovery must be filed by and noted on the motion calendar on the third Friday thereafter (see CR7(d))	December 24, 2014	February 24, 2015
Discovery completed by	January 23, 2015	March 23, 2015
All dispositive motions must be filed by and noted on the motion calendar on the fourth Friday thereafter (see CR7(d))	February 23, 2015	April 23, 2015
All motions in limine must be filed by and noted on the motion calendar no earlier than the third Friday thereafter and no later than the Friday before the pretrial conference.	May 18, 2015	July 17, 2015
Agreed pretrial order due	June 10, 2015	August 10, 2015
Trial briefs, proposed voir dire questions, and proposed jury instructions	June 10, 2015	August 10, 2015
Pretrial conference	June 12, 2015 at 02:30 PM	August 14, 2015 at 03:30 PM
JURY TRIAL DATE	June 22, 2015	August 24, 2015

IT IS SO ORDERED.

Dated this 15th of January, 2015.



Marsha J. Pechman
United States District Judge



1 Presented by:
2

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1 **DECLARATION OF SERVICE**

2 I, Jason Proctor, certify and declare that I am now and at all times herein mentioned
3 was a citizen of the United States and resident of the State of Washington, over the age of
4 eighteen years, not a party to the above-entitled action, and am competent to testify as a
5 witness. I am a Paralegal employed with The Hanley Law Firm, PLLC, 1411 Fourth Avenue,
6 Suite 1101, Seattle, Washington 98101-2243. On January 14, 2015 I served the within
7 document(s):

- 8 • Stipulation & [PROPOSED] Order Extending Certain Case Schedule Deadlines

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- Via Legal Messenger
 Via Facsimile
 Via Electronic Mail
 Via U.S. Mail
 Via CM/ECF system

20 The foregoing statement is made under the penalty of perjury under the laws of the
21 United States of America and the State of Washington and is true and correct.

22 Dated this 14th day of January, 2015.

23 **THE HANLEY LAW FIRM, PLLC**

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