

The Hon. Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

NO. CV15-143-RSL

**Plaintiff:**

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REAL PROPERTY LOCATED AT  
2731 BOYLSTON AVENUE EAST, UNIT  
301, SEATTLE, WASHINGTON, KING  
COUNTY PARCEL NO. 638980-0050;  
TOGETHER WITH ITS BUILDINGS,  
IMPROVEMENTS, APPURTENANCES,  
FIXTURES, ATTACHMENTS AND  
EASEMENTS.

**Defendant.**

**STIPULATION TO STAY THE  
UNITED STATES' OPPOSITION TO  
CLAIMANT JOSHUA MACKE'S  
MOTION FOR SUMMARY  
JUDGMENT**

#### NOTE ON MOTION CALENDAR:

February 7, 2017

The United States and Claimant Joshua Macke (collectively, "the Parties"), by and through their undersigned counsel, have entered the following stipulation to stay the United States' Opposition to Mr. Macke's Motion for Summary Judgment. Pursuant to this stipulation, the Parties respectfully request the Court stay the deadline for the United

**Stipulation to Stay the United States' Opposition to Summary Judgment - 1  
U.S. v. 2731 Boylston Avenue East, Unit 301, CV15-143-RSL**

UNITED STATES ATTORNEY  
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SEATTLE, WASHINGTON 98101  
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1 States to file its Opposition while the Parties attempt to reach a final settlement agreement  
2 in this case.

3 **RELEVANT PROCEDURAL FACTS**

4 Claimant Joshua Macke filed a Motion for Summary Judgment ("Motion") in this  
5 case on December 14, 2016 (Dkt No. 39). The original noting date for the Motion was  
6 February 3, 2017 (*Id.*). On January 9, 2017, by agreement of the Parties, Mr. Macke  
7 renoted the Motion for February 17, 2017 (Dkt. No. 42). Currently, therefore, the United  
8 States is required to file its Opposition to the Motion no later than February 13, 2017. *See*  
9 Local Civil Rule 7(d)(3) ("Any opposition papers shall be filed and served not later than  
10 the Monday before the noting date").

11 **STIPULATION**

12 The Parties stipulate as follows:

13 1. The Parties have reached a tentative settlement agreement in this case, but need  
14 time to confer with the other Claimants, to finalize the agreement, and to commit the  
15 agreement to writing. If the agreement is executed, it will dispose of the entire case and  
16 will eliminate the need for further litigation, including any Opposition to or ruling on Mr.  
17 Macke's Motion.

18 2. To avoid incurring additional fees, and to avoid unnecessary work on the part  
19 of the Court and the Parties, the Parties agree to a stay of the deadline for the United  
20 States to file its Opposition to Mr. Macke's Motion. If the Parties are unable to reach a  
21 final settlement agreement, the United States will notify the Court promptly and request a  
22 new noting date for its Opposition.

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1 DATED this 7<sup>th</sup> day of February, 2017.

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3 Respectfully submitted,

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5 ANNETTE L. HAYES  
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United States Attorney

  
MICHELLE JENSEN, WSBA #36611

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*/s/ Todd Maybrown\**

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\*Permission to e-sign granted via email 2/7/17

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2 **PROPOSED ORDER**  
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4 The Court, having reviewed the Parties' stipulation, and finding good cause,  
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HEREBY ORDERS:

6 1. The deadline for the United States to file its Opposition to Joshua Macke's Summary  
7 Judgment Motion (Dkt. No. 39) is STAYED; and,  
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9 2. If the Parties are not able to reach a final settlement in this case, the United States will  
10 notify the Court promptly and propose a new deadline for its Opposition.

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12 DATED this 8<sup>th</sup> day of February, 2017.  
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17 ROBERT S. LASNIK  
18 UNITED STATES DISTRICT JUDGE  
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2 Presented by:

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6 MICHELLE JENSEN, WSBA #36611

7 RICHARD E. COHEN

8 Assistant United States Attorneys

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13 /s/ Todd Maybrown\*

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21 \*Permission to e-sign granted via email 2/7/17

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