

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
27

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SWINOMISH INDIAN TRIBAL
COMMUNITY, a federally recognized Indian
Tribe,

Plaintiff,

v.

BNSF RAILWAY COMPANY, a Delaware
corporation,

Defendant.

NO. 2:15-cv-00543-RSL

STIPULATED MOTION AND ORDER
EXTENDING FACT DISCOVERY
DEADLINE

Pursuant to Fed. R. Civ. P. 16(b)(4), the Parties file this Stipulated Motion Extending
Fact Discovery Deadline, and state as follows:

1. The operative scheduling order provides that fact discovery be completed by
December 18, 2020. (Dkt. 120).
2. The Parties stipulate that this deadline should be extended to **January 22, 2021**.
3. The purpose of this extension is not to delay, but to provide an adequate amount
of time for both Parties to depose witnesses. The Parties have worked diligently to identify and
schedule witnesses for deposition, but due to the number of witnesses, the holidays, and the
schedules of the witnesses and counsel, it is not possible to complete all depositions before the
December 18, 2020 deadline.

1 4. This stipulation does not affect any other deadlines set forth in the Court's May
2 11, 2020 Amended Order Setting Trial Date & Related Dates (Dkt. 120).

3 DATED this 11th day of December, 2020.

4 TOUSLEY BRAIN STEPHENS PLLC

 PACIFICA LAW GROUP LLP

5 By: /s/ Christopher I. Brain

 By: s/ Paul J. Lawrence

6 Christopher I. Brain, WSBA #5054

 Paul J. Lawrence, WSBA #13557

7 By: /s/ Chase C. Alvord

 By: s/ Michelle Vaughan

8 Chase C. Alvord, WSBA #26080

 Michelle Vaughan, WSB# 54571

9 By: /s/ Rebecca L. Solomon

 By: s/ Gregory J. Wong

10 Rebecca L. Solomon, WSBA #51520

 Gregory J. Wong, WSBA #39329

11 Email: cbrain@tousley.com

 Email: paul.lawrence@pacificallawgroup.com

12 Email: calvord@tousley.com

 Email: michelle.vaughan@pacificallawgroup.com

13 Email: rsolomon@tousley.com

 Email: greg.wong@pacificlawgroup.com

14 1700 Seventh Avenue, Suite 2200

 1191 Second Avenue, Suite 2000

15 Seattle, Washington 98101

 Seattle, WA 98101

16 Tel: 206.682.5600/Fax: 206.682.2992

 Tel: 206.245.1708/Fax: 206.245.1756

***Attorneys for Defendant BNSF Railway
Company***

17 OFFICE OF THE TRIBAL ATTORNEY,
18 SWINOMISH INDIAN TRIBAL
19 COMMUNITY

20 By: /s/ Stephen T. LeCuyer

21 Stephen T. LeCuyer, WSBA #36408

22 By: /s/ Weston R. Lemay

23 Weston R. Lemay, WSBA #51916

24 Email: slecuyer@swinomish.nsn.us

25 11404 Moorage Way

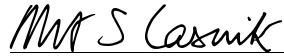
26 LaConner, WA 98257

27 Tel: 360.466.1058/Fax: 360.466.5309

Attorneys for Plaintiff

1 PURSUANT TO STIPULATION, THE COURT ORDERS that the fact discovery
2 deadline is extended to January 22, 2021 and that all other deadlines set forth in the May 11,
3 2020 Amended Order Setting Trial Date & Related Dates shall remain unchanged.

4
5 Dated this 10th day of December, 2020.

6 

7 Robert S. Lasnik
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27