

1 THE HONORABLE JOHN C. COUGHENOUR

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

9 LIBERTY MUTUAL FIRE
10 INSURANCE COMPANY,

11 Plaintiff,

12 v.

13 CITY OF SEATTLE, *et al.*,

14 Defendants.

CASE NO. C15-1039-JCC

ORDER

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16 This matter comes before the Court on the motion to continue the discovery cutoff by
17 Plaintiff Liberty Mutual Fire Insurance Company, Defendant Core Design, and Third-Party
18 Defendants Malcom Drilling and Rushforth Construction Company (Dkt. No. 101). The motion
19 is opposed by Defendant City of Seattle. (Dkt. No. 103.) Having thoroughly considered the
20 parties' briefing and the relevant record, the Court finds oral argument unnecessary and hereby
21 GRANTS the motion for the reasons explained herein.

22 The facts of this case have been outlined in previous orders. (*See* Dkt. No. 74 at 2–5; Dkt.
23 No. 97 at 2–4.) The parties have sought, and been granted, numerous continuances in this case
24 since it was filed in June 2015. (*See* Dkt. Nos. 31, 35, 43, 47, 77, 95.) The current discovery
25 deadline is August 11, 2017, and the trial is set for December 11, 2017. (Dkt. No. 78.) The
26 moving parties now request that the Court order all discovery be completed no later than October

1 15, 2017. (Dkt. No. 101 at 1.) In short, the continuance request is premised on counsel's summer
2 vacations that do not overlap and the need to conduct more depositions before August 11, 2017.
3 (*Id.* at 1–2; *see* Dkt. No. 102.) Additionally, the discovery deadline in the related state court case
4 has been continued to October 2, 2017. (Dkt. No. 102 at ¶ 2.)

5 Although the Court has already granted numerous continuances in this case, the Court
6 concludes good cause exists to continue the discovery deadline. The parties have diligently
7 pursued discovery. Their summer unavailability makes completing discovery by August 11,
8 2017, difficult. Moreover, the continuance would not prejudice the City because the discovery
9 can now be conducted in a more orderly and efficient fashion, thereby reducing attorney fees.
10 Therefore, the Court GRANTS the motion to extend the discovery deadline (Dkt. No. 101).

11 However, the Court also concludes that the dispositive motions deadline and trial date
12 need to be continued, as well. If the trial date remains unchanged, the parties will have
13 approximately 60 days before trial to file motions for summary judgment and any motions
14 related to discovery disputes. This would prejudice the City and the Court might not be able to
15 rule on the motions before trial. Therefore, based on the Court's schedule and the two-month
16 discovery extension, the new trial date is March 19, 2018, at 9:30 a.m. Any dispositive motions
17 are due by December 15, 2017. The parties are on notice that any further requests for
18 continuances will be reviewed with great care.

19 In sum, the discovery deadline is October 15, 2017; dispositive motions must be filed by
20 December 15, 2017; and trial will begin on March 19, 2018, at 9:30 a.m.

21 DATED this 26th day of July 2017.

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25 John C. Coughenour
26 UNITED STATES DISTRICT JUDGE