

JUDGE MARSHA J. PECHMAN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

MICHAEL KANTOR, an individual; SLM HOLDINGS LIMITED, LLC, a Nevada limited liability company; 3WISE VENTURES, INC., a Delaware corporation; and CABBAGE TREE INVESTMENTS, LLC, a Washington limited liability company,

Plaintiffs,

v.

BIG TIP, INC., a Washington corporation; WHOTOO, INC., a Washington corporation; DEMANDBASE, INC., a California corporation; GEORGE BREMER, an individual; MATT ROWLEN, an individual; and DOES 1 to 20,

Defendants.

NO. 2:15-cv-01871-MJP

DEFENDANTS' MOTION FOR LEAVE TO FILE JOINT MOTION FOR JUDGMENT ON THE PLEADINGS

NOTE ON MOTION CALENDAR:

DECEMBER 18, 2017
(Same Day Motion)

Defendants Demandbase, Inc. ("Demandbase"), WhoToo Inc. ("WhoToo"), BigTip, Inc. ("BigTip") and Matt Rowlen ("Rowlen") (collectively, "Defendants") respectfully request leave of court to hear their joint Motion for Judgment on the Pleadings. Defendants bring this motion in an abundance of caution under LCR 7(e)(3), which states, "[a]bsent leave of court, a party must not file

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(2:15-cv-01871-MJP)
MPBA{19800/002.003/01540782-1}

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1 contemporaneous dispositive motions, each one directed toward a discrete issue or
2 claim." Defendants will file a Joint Motion for Judgment on the Pleadings seeking
3 dismissal of portions of the Second Amended Complaint, as this request for relief
4 was common to all Defendants. However, because Defendants have differing
5 defenses and counterclaims, Defendants will also file separate motions for summary
6 judgment. Rather than each of the Defendants including a Motion for Judgment on
7 the Pleadings within their respective dispositive motions—which would have created
8 duplicative and unnecessary filings with the Court—Defendants request relief to file
9 one joint motion to preserve judicial economy.

10 DATED this 18th day of December, 2017.

11 MONTGOMERY PURDUE BLANKINSHIP SPIRO HARRISON
12 & AUSTIN PLLC

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I. ORDER

IT IS SO ORDERED.

Dated this 19th day of December, 2017.



The Honorable Marsha J. Pechman, United States District Court Judge

Presented by:

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DECLARATION OF SERVICE

I hereby certify that on 18th day of December, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 18th day of December, 2017, at Seattle, Washington.

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