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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEATTLE TIMES COMPANY,

Plaintiff,

v.

LEATHERCARE, INC.; STEVEN RITT;
and the marital community composed of
STEVEN RITT and LAURIE ROSEN-
RITT,

Defendants/Third-Party
Plaintiffs,

v.

TOUCHSTONE SLU LLC; and
TB TS/RELP LLC,

Third-Party Defendants.

C15-1901 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable
Thomas S. Zilly, United States District Judge:

(1) By Minute Order entered October 16, 2018, docket no. 288, the Court indicated that the request for costs included in the motion for attorney’s fees filed by Touchstone SLU LLC and TB TS/RELP LLC (“Touchstone”), docket no. 281, was untimely. The Court did NOT grant Touchstone an extension of time to tax costs, but rather treated Touchstone’s motion, docket no. 281, as asking for additional time to tax costs in the manner set forth in Local Civil Rule 54(d). Touchstone has since filed a bill of costs, docket no. 307, which was incorrectly noted for the first Friday after filing, and renoted by the Clerk to November 30, 2018. *See* Local Civil Rule 54(d)(1) (referencing Local Civil Rule 7(d)(3)). Meanwhile, LeatherCare, Inc. filed a response to the bill of

1 costs, indicating its mistaken belief that Touchstone had been granted an extension of
2 time to tax costs, but had failed to do so within 21 days of the date the extension had been
3 granted. *See* Resp. at 2 (docket no. 308). Shortly thereafter, Touchstone filed a notice of
4 appeal from the Minute Order entered October 16, 2018. *See* Notice (docket no. 309).
5 In light of Touchstone's appeal and the procedural posture of this matter, the Court
6 ORDERS as follows:

7 (a) Touchstone's request for an extension of time to tax costs is
8 STAYED pending a decision of the United States Court of Appeals for the Ninth
9 Circuit in Case No. 18-35966, regarding Touchstone's appeal from the Minute
10 Order entered October 16, 2018, docket no. 288; and

11 (b) Touchstone's bill of costs, docket no. 307, is STRICKEN without
12 prejudice to refile, if appropriate, after the stay imposed in Paragraph 1(a) is
13 lifted.

14 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
15 record and to the United States Court of Appeals for the Ninth Circuit.

16 Dated this 16th day of November, 2018.

17 William M. McCool
18 Clerk

19 s/Karen Dews
20 Deputy Clerk