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

9 DAIMLER AG,

No. C16-518 RSM

10 Plaintiff,

11 v.

**STIPULATED MOTION AND ORDER
TO AMEND SCHEDULING ORDER**

12 AMAZON.COM, INC.,

13 Defendant.

14
15 Pursuant to LCR 10(g), Plaintiff Daimler AG (“Daimler”) and Defendant Amazon.com,
16 Inc. (“Amazon”) respectfully stipulate and jointly move the Court to amend the Order Setting
17 Trial Date and Related Deadlines (Dkt. No. 39) (“Scheduling Order”) by extending the trial date
18 and modifying the preceding dates, as noted below. This is the second time the parties have
19 requested an extension.

20 The parties respectfully submit that good cause exists for the proposed amendments to
21 the schedule. Daimler and Amazon are presently negotiating the final terms of a settlement
22 agreement that encompasses this proceeding, as well as a trademark infringement action between
23 the parties in the Central District of California (Case No. 2:17-cv-07674). Accordingly, the
24 parties anticipate finalizing their settlement and filing appropriate dismissal paperwork well
25 within the requested extension time of 90 days. In light of the progress made towards settlement,
26 the parties believe that a 90-day extension of all deadlines would allow them to finalize the

STIPULATED MOTION AND
ORDER TO AMEND SCHEDULING ORDER - 1
(2:16-cv-00518-RSM)

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1 settlement and dismiss this case, or if the settlement is not finalized, finish preparing their
2 respective cases for trial. Such an extension would allow the parties to avoid the unnecessary
3 expenditure of time and resources and focus on resolving this matter without the need to burden
4 the Court further.

5 Daimler and Amazon, after conferring, agree that given the scope and status of the case
6 and the settlement negotiations, a 90-day extension of the trial date and modification to the
7 case schedule is warranted.

8 A proposed amended case schedule is set forth below.

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10	JURY TRIAL DATE	August 19, 2019 or later at the Court's convenience
11	Deadline for disclosure of expert testimony under FRCP 26(a)(2)	February 19, 2019
12	Deadline for filing motions related to discovery.	March 21, 2019
13	Any such motions shall be noted for consideration pursuant to LCR 7(d)(3)	
14	Discovery completed by	April 22, 2019
15	All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	May 20, 2019
16	Mediation per LCR 39.1(c)(3) held no later than	July 5, 2019
17	All motions in limine must be filed by and noted on the motion calendar for the third Friday thereafter pursuant to LCR 7(d)	July 22, 2019
18	Agreed pretrial order due	August 6, 2019
19	Pretrial conference to be scheduled by the Court.	
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26	Trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and	August 14, 2019

1 trial exhibits due

2 DATED: November 19, 2018

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23 DATED: November 19, 2018

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34 Attorneys for Defendant Amazon.com, Inc.

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1 For good cause shown, IT IS SO ORDERED this 21st day of November 2018.

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3 RICARDO S. MARTINEZ
4 CHIEF UNITED STATES DISTRICT JUDGE

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7 Presented by:

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