

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 RAINIER BEACH DEVELOPMENT
11 COMPANY, LLC, a Washington limited
liability company, *et al.*,

12 Plaintiffs,

13 v.

14 KING COUNTY, a political subdivision
of the State of Washington,

15 Defendant.

16 CASE NO. C16-0822-JCC

17 MINUTE ORDER

18 The following Minute Order is made by direction of the Court, the Honorable John C.
19 Coughenour, United States District Judge:

20 This matter comes before the Court on Defendant King County's motion to amend its
21 answer (Dkt. No. 11). King County seeks to add two affirmative defenses: fault of a non-party
22 and failure to file a claim for damages. (*Id.* at 1.) King County brought this request on the last
23 day for pleading amendments. (*See* Dkt. No. 10.) This is its first request to amend a pleading.

24 Plaintiffs' response to King County's motion was due on Tuesday, January 17, 2016. *See*
25 W.D. Wash. Local Civ. R. 7(d)(3), (5). Plaintiffs did not file a response by that deadline. The
26 Court considers this lack of response "as an admission that the motion has merit." W.D. Wash.
Local Civ. R. 7(b)(2).

Accordingly, King County's motion to amend answer (Dkt. No. 11) is GRANTED. King

1 County is DIRECTED to re-file the amended answer, submitted as an attachment to the motion,
2 as a standalone document. The amendment shall not go into effect until this filing has been
3 completed.

4 DATED this 19th day of January 2017.

5 William M. McCool
6 Clerk of Court

7 s/Paula McNabb
8 Deputy Clerk

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