

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JULIE ANN HANSON, individually and as
Personal Representative of the ESTATE OF
MARILYN MOWAN, deceased,

Plaintiff,

v.

SNOHOMISH COUNTY, a municipal
corporation, TY TRENARY, KAITLIN
GEARY, JEFFREY LANGSAM, and JULIE
ROUNTREE and I-CHEN LIU,

Defendants.

NO. 2:16-cv-00930-TSZ

STIPULATION AND AGREED ORDER
EXTENDING THE DEADLINE FOR
DISCLOSURE OF EXPERT
TESTIMONY

STIPULATION

COME NOW the parties, by and through their respective counsel of record and hereby stipulate and request that the Court enter an order extending the deadline for disclosure of expert testimony from April 12, 2017 to May 24, 2017 considering the following:

- 1. The deadline for disclosure of expert testimony April 12, 2017 pursuant to the Court’s Minute Order Setting Trial Date dated August 8, 2016. (Dkt. # 12).

1 2. The parties have conducted extensive discovery and have taken numerous
2 depositions of lay witnesses and Rule 30(b)(6) witnesses.

3 3. On September 8, 2016 Plaintiff propounded discovery on Snohomish County.
4 One of the areas of inquiry were the other in custody deaths at the Snohomish County Jail that
5 preceded and followed the death of Marilyn Mowan on September 23, 2014. There have been 22
6 in custody deaths at the Snohomish County Jail since 2005.

7 4. To date, Snohomish County has not fully answered that discovery and has not
8 produced responsive information on at least five of the in custody deaths.

9 5. The parties engaged in a discovery conference on this issue on February 22, 2017.
10 During that discovery conference Snohomish County indicated that they were continuing to
11 investigate if they had responsive documents to Plaintiff's requests.

12 6. The overdue discovery that Plaintiff seeks is essential material to be reviewed by
13 Plaintiff's expert witnesses. The overdue discovery is vital for the experts to arrive at their
14 conclusions.

15 7. The parties met and conferred and believe that good cause exists for the Court to
16 grant the parties' stipulated request for extending the deadline for disclosure of expert testimony
17 from April 12, 2017 to May 24, 2017.

18 8. The parties further seek to clarify that by operation of FRCP 26(a)(2)(D)(ii), the
19 deadline for expert rebuttal testimony will be 30 days after the deadline for disclosure of expert
20 testimony. Should the Court grant the parties stipulation, the new deadline for expert rebuttal
21 testimony will now be June 23, 2017.

1 9. The parties do not anticipate that the new deadline for disclosure of expert
2 testimony will necessitate additional extensions of the deadlines set forth in the Court's order.

3 LAW OFFICES OF JAMES S. ROGERS

MARK K. ROE

Snohomish County Prosecuting Attorney

4
5 By: s/ Cheryl L. Snow

Cheryl L. Snow, WSBA #26757

Justin R. Boland, WSBA # 35381

Attorneys for Plaintiff

1500 Fourth Avenue, Suite 500

Seattle, WA 98101

Phone: 206-621-8525

Facsimile: 206-223-8224

Email: csnow@jsrogerslaw.com

Email: justin@jsrogerslaw.com

By: s/ Katherine Bosch

Michael C. Held, WSBA # 6357

Katherine Bosch, WSBA # 43122

Joseph B. Genster, WSBA # 14968

Deputy Prosecuting Attorneys

Snohomish Prosecuting Attorneys Office

3000 Rockefeller Ave., M/S 504

Everett, WA 98201

Telephone: 425-388-6330

Facsimile: 425-388-6333

Email: Michael.held@snoco.org

Email: Katherine.bosch@snoco.org

Email: Joseph.Genster@snoco.org

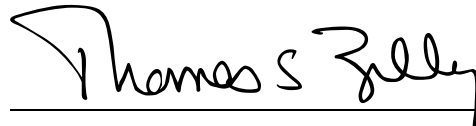
12 Dated: March 7, 2017

Dated: March 7, 2017

13
14 **ORDER**

15 This matter having come before the Court on the Stipulation of the parties, the Court
16 having considered the foregoing stipulation and for good cause shown, IT IS HEREBY
17 ORDERED that the deadline for disclosure of expert testimony is extended from April 12, 2017,
18 to May 24, 2017. IT IS HEREBY FURTHER ORDERED that the new deadline for expert
19 rebuttal testimony pursuant to FRCP 26(a)(2)(D)(ii) will now be June 23, 2017.

20 Dated this 8th of March, 2017.

21
22 

Thomas S. Zilly

United States District Judge

1 *Presented by:*

2 LAW OFFICES OF JAMES S. ROGERS

MARK K. ROE
Snohomish County Prosecuting Attorney

3

4 By: s/ Cheryl L. Snow
Cheryl L. Snow, WSBA #26757
5 Justin R. Boland, WSBA # 35381
Attorneys for Plaintiff
6 1500 Fourth Avenue, Suite 500
Seattle, WA 98101
7 Phone: 206-621-8525
Facsimile: 206-223-8224
8 Email: csnow@jsrogerslaw.com
Email: justin@jsrogerslaw.com

By: s/ Katherine Bosch
Michael C. Held, WSBA # 6357
Katherine Bosch, WSBA # 43122
Joseph B. Genster, WSBA # 14968
Deputy Prosecuting Attorneys
Snohomish Prosecuting Attorneys Office
3000 Rockefeller Ave., M/S 504
Everett, WA 98201
Telephone: 425-388-6330
Facsimile: 425-388-6333
Email: Michael.held@snoco.org
Email: Katherine.bosch@snoco.org
Email: Joseph.Genster@snoco.org

9

10

11

12

13

14

15

16

17

18

19

20

21

22