

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JEFFREY R. FORD, et al.,

**Plaintiff(s),**

V.

BNSF RAILWAY COMPANY, a Delaware corporation,

Defendant.

CASE NO. 2:16-cv-01383-RSM

**STIPULATED MOTION & ORDER  
TO CONTINUE TRIAL DATE  
AND EXTEND EXISTING  
PRETRIAL DEADLINES**

## STIPULATION

The Parties, by and through their attorneys of record, pursuant to LCR 7(d)(1) and LCR 10(g), hereby submit this Stipulated Motion to Continue Trial Date and to Extend Existing Pretrial Deadlines.

The Parties stipulate to and jointly request an Order continuing the current October 16, 2017 trial date until January 16, 2018, or as soon thereafter as may be convenient for the Court. The parties additionally request that pretrial deadlines be extended in lock-step with the new trial date.

## BACKGROUND

By its Order Setting Trial and Related Dates entered January 24, 2017 (Dkt. 13), the Court set this matter for trial on October 16, 2017, and also established a case schedule of pretrial deadlines based upon that trial date.

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1 By its Order dated January 20, 2017 (Dkt. 12), the Court consolidated the above  
2 captioned case with Case Nos. 2:16-cv-01384-RSM and 2:16-cv-01385-RSM for all future pre-  
3 trial and trial purposes and ordered that one case schedule be issued for all matters.

4 The Parties stipulate to and jointly move the Court for a continuance of the trial date  
5 until January 16, 2018, with a similar continuance the June 19, 2017 discovery deadline for  
6 purposes of completing depositions, and the other remaining pretrial deadlines.

7 **DISCUSSION**

8 The parties have been and conferred and submit this stipulated motion in good faith.  
9 The Parties have engaged in substantial written discovery and numerous depositions have been  
10 noted during the days remaining until the currently scheduled discovery deadline of  
11 June 19, 2017. Based upon his schedule and other commitments, including certain medical  
12 appointments, counsel for the plaintiffs, George Thornton, is not able to participate in the  
13 depositions as currently noticed and they cannot be completed by the current June 19, 2017  
14 discovery deadline. The Parties believe that a two month continuance of the discovery deadline  
15 will allow them the opportunity to schedule and complete all depositions. The Parties further  
16 request that the remaining pretrial deadlines be continued correspondingly, to allow for  
17 dispositive motions, mediation and, if necessary, trial preparation following completion of the  
18 depositions.

19 The Parties have requested available dates from the Court's staff for continuing the trial  
20 and understand that January 16, 2018 is currently available. The proposed new deadlines are  
21 set forth in **Exhibit 1**.

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AGREED AND STIPULATED TO this 8<sup>th</sup> day of June, 2017.

RYAN, SWANSON & CLEVELAND, PLLC      THORNTON MOSTUL HERSCHENSOHN, PLLC

By /s/ Bryan C. Graff

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## ORDER

Based upon the foregoing Stipulation of the Parties, IT IS SO ORDERED.

  
\_\_\_\_\_  
RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

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**EXHIBIT 1**

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Events	Current Dates	New Dates
<b>TRIAL DATE</b>	<b>Monday, October 16, 2017</b>	<b>Tuesday, January 16, 2018</b>
Discovery completed by	Monday, June 19, 2017	Friday, August 18, 2017
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (Local CR 7(d)(3))	Tuesday, July 18, 2017	Monday, September 18, 2017
Mediation per LCR 39.1(c)(3), <b>if requested by the parties</b> , held no later than	Friday, September 1, 2017	Wednesday, November 1, 2017
All motions in limine must be filed by and noted on the motion calendar no earlier than the THIRD Friday thereafter	Monday, September 18, 2017	Monday, November 20, 2017
Agreed pretrial order due	Wednesday, October 4, 2017	Wednesday, January 3, 2018
Pretrial conference to be scheduled by the Court		
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	Wednesday, October 11, 2017	Wednesday, January 10, 2018

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