

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EVERGREEN ESTATES CONDOMINIUM
ASSOCIATION OF APARTMENT
OWNERS, a Washington nonprofit
corporation,

Plaintiff,

V.

ADMIRAL INSURANCE COMPANY, a Delaware corporation; ASSOCIATED INTERNATIONAL INSURANCE COMPANY, an Illinois corporation; MARKEL INSURANCE COMPANY, a Virginia corporation; and DOE INSURANCE COMPANIES 1-10,

Defendants.

No: C16-1577 RSM

**STIPULATED JOINT MOTION AND
ORDER FOR CONTINUANCE OF
TRIAL DATE AND RELATED
DEADLINES**

MOTION

Counsel for all Parties (Plaintiff Evergreen Estates Condominium Association and Defendants Admiral Insurance Company, Associated International Insurance Company and Markel Insurance Company) submit this stipulated motion for a four-month continuance of the trial date and related dates as described below. The parties' joint motion is based on LCR 10(g) and LCR 16(b)(5). The motion is supported by the declaration of attorneys Michael

1 McCormack. Mr. McCormack has conferred with counsel for the other parties—Mr. Houser
2 for the Association, and Mr. Bentson for Admiral—and Mr. McCormack is submitting this
3 motion and declaration at the request of Mr. Houser and Mr. Bentson.

4 **REASONS JUSTIFYING PROPOSED CHANGE**

5 Mr. Houser and Mr. Bentson represent opposing parties in a matter scheduled for trial
6 on May 22, 2017, in the U. S. District Court for the Western District of Washington in
7 Tacoma. See *Eagle Harbour Condo Association v. AllState, et. al.*, Cause No.:
8 3:15-CV-05312-RBL. In order to properly prepare and try the *Eagle Harbour* case,
9 Messrs. Houser and Bentson along with their staff will be working full time on the Eagle
10 Harbour case until early June, or later.

11 The consequence to this case is that the parties cannot realistically complete the
12 discovery and deposition work necessary to meet this case's discovery deadline of
13 May 22, 2017. In addition, all parties intend to file motions for summary judgment in this
14 case, but due to their work on the Eagle Harbour trial, Mr. Houser and Mr. Bentson will not
15 be able to complete discovery and file their motions in this case by the June 20 deadline for
16 dispositive motions

17 The attorneys have conferred. Along with their clients, they are in unanimous
18 agreement that a four-month continuance of the trial date in this matter, along with a
19 concomitant rescheduling of pending deadlines, is an appropriate solution if this Court
20 agrees. What the parties specifically request is as follows:

CURRENT DATE	PROPOSED DATE
Trial: September 18, 2017	January 18, 2018 or date TBD by Court
Rebuttal Expert: April 28, 2017	July 28, 2017
Discovery Cut off: May 22, 2017	September 22, 2017
Dispositive Motion Deadline: June 20, 2017	October 20, 2017
Mediation: August 4, 2017	December 4, 2017

CURRENT DATE	PROPOSED DATE
Motions in Limine: August 21, 2017	December 21, 2017
Pretrial Order: September 6, 2017	January 5, 2018
Trial Briefs: September 13, 2017	January 12, 2018

DATED: May 2, 2017

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ORDER

IT IS ORDERED that the trial of this matter is rescheduled for **January 22, 2018**.

The case schedule set forth above is adopted **with the exception of the trial date.**

DATED this 2nd day of May 2017.

Ricardo S. Martinez
RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented By:

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