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

8 ME2 PRODUCTIONS, INC.,

9 Plaintiff,

10 v.

11 WHENDI PHIPPS, *et al.*,

12 Defendants.

Case No. C16-1953RSL

ORDER REINSTATING CLAIMS  
AGAINST WHENDI PHIPPS,  
CLINTON HENDERSON, AND  
RACHEL KRON


13 This matter comes before the Court on plaintiff's "Motion to Set Aside Dismissal."  
14 Dkt. # 33. On March 16, 2017, the Court granted an extension of time in which to affect  
15 service in this matter. Plaintiff was given "an additional forty-five days, until May 5,  
16 2017, to file proofs of waiver as to all defendants or a second motion for extension of  
17 time detailing the efforts made toward effecting personal service." Dkt. # 12 at 2. Plaintiff  
18 failed to timely file proof of service or waiver as to ten defendants, and the claims against  
19 them were dismissed on May 11, 2017.

20 Plaintiff has now filed proof that service was in fact achieved on three of the  
21 defendants, Whendi Phipps, Clinton Henderson, and Rachel Kron, within the time  
22 allowed. The failure to comply with the Court's order requiring filing by a certain date is  
23 nevertheless troubling. Inadvertence in light of the Court's repeated indications that it will  
24 strictly enforce the service deadlines does not constitute good cause. Because this is the  
25 first time this particular situation has arisen (at least before the undersigned), the motion  
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ORDER REINSTATING CLAIMS AGAINST  
WHENDI PHIPPS, CLINTON HENDERSON,  
AND RACHEL KRON

1 to set aside is GRANTED. The claims against Whendi Phipps, Clinton Henderson, and  
2 Rachel Kron are hereby reinstated.<sup>1</sup> Counsel is advised, however, that future failures to  
3 comply with service requirements and orders of the Court will not be excused absent  
4 good cause.

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6 Dated this 12th day of May, 2017.

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8 Robert S. Lasnik  
9 United States District Judge

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<sup>1</sup> Plaintiff also submitted “Stipulations of Dismissal with Prejudice” as to four other  
23 defendants and argues that “the stipulations of dismissal should be recognized as they are with  
24 prejudice per the Confidential Settlement Agreements with each party.” Dkt. # 33 at 2. No  
25 information is provided regarding the dates of the settlement agreements, no arguments are  
26 asserted regarding the effect of the dismissal on May 11, 2007, if any, and the nature of the  
requested “recognition” is unclear. The Court takes notice that the stipulated dismissals are  
undated and were filed on May 11, 2017.