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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 DAVE COOPER, *et al.*,

12 Defendants.

Case No. C16-1955RSL

ORDER REINSTATING CLAIMS
AGAINST GERALD W. BOERNER

13 This matter comes before the Court on plaintiff's "Motion to Set Aside Dismissal."
14 Dkt. # 27. 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. # 11 at 2. Plaintiff
18 failed to timely file proof of service or waiver as to defendant Gerald W. Boerner, and the
19 claims against him were dismissed on May 11, 2017.

20 Plaintiff has now filed proof that service was in fact achieved within the time
21 allowed. The failure to comply with the Court's order requiring filing by a certain date is
22 nevertheless troubling. Inadvertence in light of the Court's repeated indications that it will
23 strictly enforce the service deadlines does not constitute good cause. Because this is the
24 first time this particular situation has arisen (at least before the undersigned), the motion
25 to set aside is GRANTED. The claims against Gerald W. Boerner are hereby reinstated.
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ORDER REINSTATING CLAIMS AGAINST
GERALD W. BOERNER

1 Counsel is advised, however, that future failures to comply with service requirements and
2 orders of the Court will not be excused absent good cause.

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4 Dated this 12th day of May, 2017.

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6 Robert S. Lasnik
7 United States District Judge
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