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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CITY OF EVERETT, a Washington municipal corporation,

Plaintiff,

v.

PURDUE PHARMA L.P., a Delaware limited partnership; PURDUE PHARMA, INC., a New York corporation; THE PURDUE FREDERICK COMPANY, INC., a New York corporation; and JOHN AND JANE DOES 1 THROUGH 10, individuals who are executives, officers, and/or directors of Purdue,

Defendants.

CASE NO. 2:17-CV-00209-RSM

STIPULATED MOTION AND ORDER TO EXTEND DEFENDANTS' TIME TO RESPOND TO COMPLAINT

STIPULATED MOTION

Defendants Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc. ("Defendants") hereby move the Court pursuant to LCR 7(d)(1) and LCR 10(g) for an order extending the time to March 20, 2017 for Defendants to respond to Plaintiff's Complaint. Plaintiff City of Everett ("Plaintiff") has stipulated to extend this deadline to March 20, 2017.

FACTS and ARGUMENT

Defendants timely filed a Notice of Removal in this Court on February 10, 2017 (Dkt. #1). At the time of removal, Defendants had not answered or otherwise responded to the Complaint filed by Plaintiff in Snohomish County Superior Court ("Superior Court"). The Complaint was filed and served on January 19, 2017 on all Defendants (Dkt. #1-1 and #2-1, pp.

1 33-56). Under these circumstances, Defendants would be required by Federal Rule of Civil
2 Procedure 81(c)(2)(C) to respond to the Complaint within seven days of removal (meaning
3 February 24, 2017) in the absence of relief. This Court may extend the time for Defendants to
4 respond to the Complaint for good cause when the request is made before the original deadline
5 expires. Fed. R. Civ. Pro. 6(b)(1)(A).

6 If this action had not been removed from Superior Court, Defendants' response deadline
7 would have been March 20, 2017.¹ Defendants request the same deadline to apply in this Court.
8 In support of their request, Defendants assert that Plaintiff's allegations are premised upon events
9 occurring several years ago (2007-2010), including events in California, which are diverse,
10 novel, and raise complex questions requiring further analysis in considering a response, and
11 requiring more time to prepare than the current deadline allows.²

12 **STIPULATION**

13 Counsel for Defendants and Plaintiff spoke on Friday, February 10, 2017, and exchanged
14 voice and e-mail again on Monday, February 13, 2017, regarding Defendants' request to extend
15 the deadline to respond to Plaintiff's Complaint. Defendants and Plaintiff hereby stipulate to the
16 requested extension to March 20, 2017 for Defendants to respond to the Complaint.³

17 ***SO STIPULATED.***

18 DATED: February 14, 2017

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¹ RCW § 4.28.180 allows parties 60 days to respond to a complaint personally served outside the state of
Washington. 60 days from January 19, 2017 is March 20, 2017.

25 ² This Court's Local Rules identify as a means of reducing litigation costs: "(a) limiting discovery and
phasing discovery and motions to bring on for early resolution potentially dispositive issues;..." See *Introduction to
Civil Rules*, pg. 1.

26 ³ Plaintiff stipulates to the relief requested by Defendants (*i.e.*, an extension to March 20, 2017), however,
27 Plaintiff does not hereby stipulate or otherwise agree with Defendants' other assertions, including their
characterizations regarding Plaintiff's allegations.

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By: /s/ Thomas D. Adams
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ORDER

Pursuant to the Stipulation of Defendants and Plaintiff, the deadline for Defendants to respond to the Complaint shall be extended to March 20, 2017.

IT IS SO ORDERED.

DATED this 15th day of February, 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

KARR TUTTLE CAMPBELL

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