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The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

LINDSAY DUNN, )  
 )  
Plaintiff, )  
vs. )  
BNSF RAILWAY COMPANY, a Delaware )  
Corporation, )  
 )  
Defendant. )

Case No. 2:17-CV-333

**STIPULATION AND [PROPOSED]  
ORDER RENOTING MOTION, AND  
PARTIALLY RESETTING BRIEFING  
SCHEDULE**

**STIPULATION**

On June 13, 2017, BNSF filed a Motion to Dismiss. (DKT 6.) The motion is noted for July 7, 2017. On July 3, 2017, Mr. Dunn filed his response brief. (DKT13.) Under the current schedule, BNSF’s reply brief is due July 7, 2017.

On July 3, there was a death in the immediate family of the attorney who is charged with drafting BNSF’s reply. Under the circumstances, BNSF requested that Mr. Dunn agree to permit BNSF to renote the motion for July 14, 2017, and file its reply brief by that date. Mr. Dunn has agreed. Accordingly, the parties request that BNSF be permitted to renote its Motion to Dismiss for July 14, 2017, and its reply brief be due by that day.

STIPULATION AND [PROPOSED] ORDER RENOTING  
MOTION, AND PARTIALLY RESETTING BRIEFING  
SCHEDULE - 1

**MONTGOMERY SCARP, PLLC**  
1218 Third Avenue, Suite 2500  
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Telephone: (206) 625-1801  
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/s/ William G. Jungbuaer, Esq  
William G. Jungbuaer, Esq.  
Attorney for Plaintiff, Lindsay Dunn  
Yaeger & Jungbauer Barristers, PLC  
4601 Weston Woods Way  
St. Paul, MN 55127

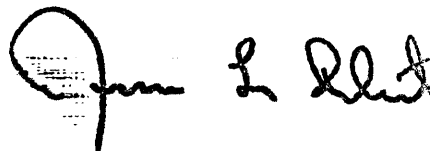
/s/ Kelsey Endres  
Kelsey Endres  
Attorneys for Defendant, BNSF Railway  
Montgomery Scarp, PLLC  
1218 3<sup>rd</sup> Ave., Ste 2500  
Seattle, WA 98101-3237

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**ORDER**

IT IS SO ORDERED.

DATED this <sup>7<sup>th</sup></sup>~~6<sup>th</sup>~~ of July, 2017.



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Honorable James L. Robart  
U.S. District Court Judge

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**CERTIFICATE OF SERVICE**

I am over the age of 18; and not a party to this action. I am the assistant to an attorney with Montgomery Scarp, PLLC, whose address is 1218 Third Avenue, Suite 2500, Seattle, Washington, 98101.

I hereby certify that a true and complete copy of the STIPULATION AND [PROPOSED] ORDER RENOTING MOTION, AND PARTIALLY RESETTING BRIEFING SCHEDULE has been filed with the U.S. District Court via the ECF system which gives automatic notification to the following interested parties:

William Jungbuaer  
Attorneys for Plaintiff,  
Yaeger Jungbauer & Barristers, PLC  
4601 Weston Woods Way  
St. Paul, MN 55127

I declare under penalty under the laws of the State of Washington that the foregoing information is true and correct.

DATED this 6<sup>th</sup> day of July, 2017, at Seattle, Washington.

/s/AlmaCerimovic  
Alma Cerimovic