

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VERIDIAN CREDIT UNION, on behalf of  
itself and a class of similarly situated financial  
institutions,

Plaintiff,

v.

EDDIE BAUER LLC,

Defendant.

NO. 2:17-cv-00356 (JLR)

AND ORDER

STIPULATED MOTION PURSUANT  
TO LCR 7(d)(1) TO ALTER CLASS  
CERTIFICATION SCHEDULE

NOTING DATE: July 20, 2017

Pursuant to LCR 7(d)(1), Plaintiff Veridian Credit Union (“Veridian”) and Defendant Eddie Bauer LLC (“Eddie Bauer”), respectfully move this Honorable Court to alter the class certification schedule.

Pursuant to LCR 23, Veridian is required to file its motion for class certification within 180-days after filing its class action complaint “unless otherwise ordered by the Court.” As such, the current deadline for Veridian’s class certification motion is September 3, 2017.

Under the current class certification deadline, the parties will have an extremely limited opportunity to conduct discovery prior to Veridian’s motion for class certification. Indeed, Eddie Bauer has requested the Court to stay discovery pending the resolution of its motion to dismiss.

The parties discussed the challenges this timeline creates during the scheduling conference with the Court on July 13, 2017. Following the conference, the Court directed the

STIPULATED MOTION PURSUANT TO LCR 7(d)(1) TO  
ALTER CLASS CERTIFICATION SCHEDULE - 1  
USDC WD WA NO. 2:17-cv-00356-JLR

TOUSLEY BRAIN STEPHENS PLLC  
1700 Seventh Avenue, Suite 2200  
Seattle, Washington 98101  
T. (206) 682-5600

1 parties “to confer and provide the court with a reasonable class certification schedule. Absent a  
2 motion from the parties in the next seven days, the court will enter its Scheduling Order  
3 Regarding Class Certification Motion setting a deadline of August 7, 2017, for discovery on  
4 class certification, and a deadline of September 7, 2017, to file the motion for class certification.”  
5 (Dkt. 47).

6 Pursuant to the Court’s July 13, 2017 Minute Entry, the parties have conferred and jointly  
7 move the Court to set a deadline of November 30, 2017 for Veridian to file its motion for class  
8 certification.

9 DATED this 20th day of July, 2017.

10 TOUSLEY BRAIN STEPHENS PLLC

11 By: /s/ Kim D. Stephens

12 Kim D. Stephens, WSBA #11984  
13 kstephens@tousley.com

14 By: /s/ Chase C. Alvord

15 Chase C. Alvord, WSBA #26080  
16 calvord@tousley.com  
17 1700 Seventh Avenue, Suite 2200  
18 Seattle, Washington 98101  
19 Telephone: 206.682.5600  
20 Fax: 206.682.2992

21 Joseph P. Guglielmo  
22 SCOTT+SCOTT, ATTORNEYS AT LAW, LLP  
23 The Helmsley Building  
24 230 Park Avenue, 17th Floor  
25 New York, NY 10169  
26 Telephone: (212) 223-6444  
27 Facsimile: (212) 223-6334  
jguglielmo@scott-scott.com

Erin G. Comite  
Stephen J. Teti  
SCOTT+SCOTT, ATTORNEYS AT LAW, LLP  
156 South Main Street  
P.O. Box 192  
Colchester, CT 06415  
Telephone: (860) 537-5537  
Facsimile: (860) 537-4432  
ecomite@scott-scott.com  
steti@scott-scott.com

STIPULATED MOTION PURSUANT TO LCR 7(d)(1) TO  
ALTER CLASS CERTIFICATION SCHEDULE - 2  
USDC WD WA NO. 2:17-cv-00356-JLR

TOUSLEY BRAIN STEPHENS PLLC  
1700 Seventh Avenue, Suite 2200  
Seattle, Washington 98101  
T. (206) 682-5600

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Gary F. Lynch  
CARLSON LYNCH SWEET KILPELA  
& CARPENTER, LLP  
1133 Penn Avenue, 5th floor  
Pittsburg, PA 15212  
Telephone: (412) 322-9243  
Facsimile: (412) 231-0246  
glynch@carlsonlynch.com

Karen H. Riebel  
Kate Baxter-Kauf  
LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
100 Washington Avenue S., Suite 2200  
Minneapolis, MN 55401  
Telephone: (612) 339-6900  
Facsimile: (612) 339-0981  
khriegel@locklaw.com  
kmbaxter@locklaw.com

Arthur M. Murray  
MURRAY LAW FIRM  
650 Poydras St., Suite 2150  
New Orleans, LA 70130  
Telephone: (504) 525-8100  
Facsimile: (504) 284-5249  
amurray@murray-lawfirm.com

Brian C. Gudmundson  
ZIMMERMAN REED, LLP  
1100 IDS Center, 80 South 8<sup>th</sup> St.  
Minneapolis, MN 55402  
Telephone: (612) 341-0400  
Facsimile: (612) 341-0844  
brian.gudmundson@zimmreed.com

Bryan L. Bleichner  
CHESTNUT CAMBRONNE PA  
17 Washington Avenue North, Suite 300  
Minneapolis, MN 55401  
Telephone: (612) 339-7300  
Facsimile: (612) 336-2921  
bbleichner@chestnutcambronne.com

*Attorneys for Plaintiff Veridian Credit Union*

///  
///  
///

STIPULATED MOTION PURSUANT TO LCR 7(d)(1) TO  
ALTER CLASS CERTIFICATION SCHEDULE - 3  
USDC WD WA NO. 2:17-cv-00356-JLR


TOUSLEY BRAIN STEPHENS PLLC  
1700 Seventh Avenue, Suite 2200  
Seattle, Washington 98101  
T. (206) 682-5600

1 IT IS SO ORDERED. The deadline for plaintiff to file their class certification motion is  
2 November 30, 2017.

3 Dated 24<sup>th</sup> day of July, 2017

4 

5 James L. Robart  
6 UNITED STATES DISTRICT JUDGE

7  
8  
9  
10 The deadline to complete discovery on class certification  
11 is October 30, 2017. This deadline should not be construed  
12 as a bifurcation of discovery. 

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27