

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASTE ACTION PROJECT,

Plaintiff,

vs.

FRUHLING SAND AND
TOPSOIL, INC.,

Defendant.

Case No. C17-498 RSM

**STIPULATED MOTION AND ORDER
TO EXTEND BRIEFING SCHEDULE ON
A MOTION FOR SUMMARY
JUDGMENT**

Counsel for Plaintiff Waste Action Project (WAP) and Defendant Fruhling Sand and Topsoil, Inc. (Fruhling) respectfully request that the Court extend the deadlines for further briefing on WAP's Motion for Partial Summary Judgment (Dkt. # 45) for 30 days. WAP filed its Motion for Partial Summary Judgment on June 20, 2019. Dkt. #45. Under Local Rule 7(d)(3), Fruhling's Response to the Motion is due July 8, 2019, and WAP's Reply, if any, would be July 12, 2019.

The parties have separately stipulated to certain facts and issues to simplify this litigation and avoid unnecessary costs, and have agreed to enter into good faith settlement negotiations to resolve this matter. The parties jointly move to extend the briefing schedule on WAP's Motion for Partial Summary Judgment to allow for the parties to explore the possibility of settlement without incurring additional costs associated with Fruhling's response and WAP's reply, which would be unnecessary if a settlement is reached. This extension request will not affect other

1 deadlines or the trial date. The parties agree that good cause exists to extend the briefing deadlines
2 and noting date, that a short extension of this deadline will promote judicial efficiency, and that no
3 party will be prejudiced by the requested extension. Accordingly, the parties request the Court
4 enter an Order extending the deadlines for further briefing on the Motion for 30 days, such that
5 Fruhling's Response would be due no later than August 8, 2019 and WAP's Reply, if any, no
6 later than August 16, 2019, and the noting date for the motion would be reset to August 16, 2019.
7 The current and proposed deadlines are also provided in the following table:

	Current Briefing Deadline	Proposed Briefing Deadline
Fruhling Response Brief	July 8, 2019	August 8, 2019
WAP Reply Brief	July 12, 2019	August 16, 2019
Motion Noting Date	July 12, 2019	August 16, 2019

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15 DATED this 8th day of July 2019.

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17 Marc Zemel, WSBA No. 44325
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ORDER

Based on the above stipulation, IT IS SO ORDERED.

DATED this 11th day of July 2019.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE