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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CEN COM, INC., a Washington Corporation
doing business as American Digital Monitoring,

Plaintiff,

v.

NUMEREX CORP., a Pennsylvania
Corporation; NextAlarm, LLC, a Georgia
Limited Liability Company; and DOES 1 – 10,

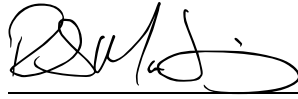
Defendants.

Case No. C17-0560RSM

ORDER DENYING PLAINTIFF’S
MOTION FOR TERMINATING
SANCTIONS

THIS MATTER comes before the Court on Plaintiff’s Motion for Terminating Sanctions. Dkt. #120. Plaintiff seeks an Order dismissing all of Defendants’ counterclaims as a sanction for their alleged overuse of the Attorneys’ Eyes Only (“AEO”) designation of documents during discovery. *Id.* The Court DENIES this motion for counsels’ failure to engage in the appropriate meet-and-confer required by this Court’s Rules and the stipulated Protective Order. LCR 37(a)(1) and Dkt. #19 at ¶ 7.2. The record reflects numerous discussions between counsel regarding Defendants’ AEO designations. *See* Dkts. #122 and #143. However, having reviewed that record, and the history of this matter, the Court is not convinced that the parties had reached an impasse requiring the filing of the instant motion, or that all parties had engaged in a good faith effort to resolve the dispute. For those reasons, Plaintiff’s Motion for Terminating Sanctions (Dkt. #120) is DENIED.

1 DATED this 26th day of June, 2018.

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4 RICARDO S. MARTINEZ
5 CHIEF UNITED STATES DISTRICT JUDGE
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