

The Honorable Robert S. Lasnik

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KELLY BOLDING, MICHAEL MANFREDI,
and SARAH WARD, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

BANNER BANK, a Washington Corporation,

Defendant.

No. 2:17-cv-00601-RSL

STIPULATED MOTION AND
~~PROPOSED~~ ORDER
EXTENDING STAY ON
PROCEEDINGS PENDING
MEDIATION

*Note on Motion Calendar:
September 6, 2019*

STIPULATED MOTION

On March 20, 2019, the parties filed a stipulated motion and [proposed] order temporarily staying proceedings and vacating the case schedule pending mediation in the above-entitled action. *See* Dkt. 153. This Court granted the parties' motion on March 22, 2019. *See* Dkt. 154. The parties selected Mark S. Rudy of Rudy, Exelrod, Zeiff & Lowe, LLP to serve as mediator and scheduled mediation for August 8, 2019. *See* Dkt. 153. As a result, the stay scheduled is automatically lifted under the Order on September 1, 2019, should the parties not reach a settlement agreement by that date. *See* Dkt. 154.

Subsequent to the parties' stipulated motion and the Court's order, Mr. Rudy notified the parties that he needed to cancel the August 8, 2019 mediation for personal matters due to an

STIPULATED MOTION AND ~~PROPOSED~~ ORDER EXTENDING STAY
ON PROCEEDINGS PENDING MEDIATION
(2:17-CV-00601-RSL) - 1

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1 extended leave. Declaration of Sheehan Sullivan in Support of the Stipulated Motion to Extend
2 the Temporary Stay on Proceedings Pending Mediation (“Sullivan Decl.”) ¶ 2. After several
3 weeks of researching new mediators and exploring alternatives, the parties were able
4 reschedule their mediation with Mr. Rudy for October 4, 2019. *Id.* ¶ 3.

5 Given that the mediation date changed from August to October, the parties agree that it
6 is in the interest of judicial economy and efficiency to (i) extend the temporary stay until
7 October 21, 2019,¹ on all further proceedings in this litigation, including without limitation all
8 formal discovery and motions practice, and (ii) extend the time to issue a new scheduling order
9 setting new deadlines to October 21, 2019, should the parties fail to reach a settlement
10 agreement at their October 4, 2019 mediation. Therefore, Plaintiffs and Banner Bank
11 respectfully stipulate to, and jointly request that the Court enter, the Proposed Order set forth
12 below extending the stay on proceedings pending mediation.

13 If a settlement agreement is not reached between the parties by October 21, 2019, the
14 stay will be automatically lifted on that date, unless there is good cause to lift it sooner. In that
15 case, the parties will advise the Court that settlement efforts have failed, and will within ten
16 business days of October 21 file a Joint Status Report that includes new proposed case
17 deadlines.

18 It is so stipulated and presented by the following counsel this 5th day of September,
19 2019.

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26 ¹ This is to allow time for the parties to document any settlement-in-principle they may reach at the mediation or,
27 if no settlement is reached, to negotiate a new scheduling order.

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ORDER

1 The Court has considered and approves the parties' stipulation. This action is stayed
2 until October 21, 2019, including all formal discovery. Deadlines shall be reset if the parties'
3 settlement efforts do not succeed. The parties shall promptly notify the Court if they reach a
4 settlement.

5 The stay shall be automatically lifted on October 21, 2019, unless there is good cause to
6 lift it sooner. Within ten business days after expiration of the stay set forth above, the parties
7 shall submit a Joint Status Report that includes new proposed case deadlines including a trial
8 date if the parties' settlement efforts do not succeed.

9 IT IS SO ORDERED.

10 DATED this 9th day of Sept., 2019.

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15 Robert S. Lasnik
16 UNITED STATES DISTRICT JUDGE
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