

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  
28

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CARREA CHRISTOPHER,  
  
Plaintiff,  
  
v.  
  
FORD MOTOR COMPANY, INC.,  
  
Defendant.

Case No. 2:17-CV-738-RSL  
  
ORDER DENYING  
DEFENDANT’S MOTION  
TO DISMISS FIRST  
AMENDED COMPLAINT

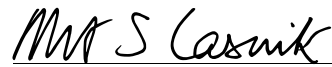
This matter comes before the Court on defendant Ford Motor Company, Inc.’s “Motion to Dismiss First Amended Complaint under FRCP 12(b)(2) and (3).” Dkt. #45. Defendant requested that plaintiff’s First Amended Complaint (“FAC”) be dismissed for lack of personal jurisdiction over defendant and improper venue. See Fed. R. Civ. P. 12(b). Plaintiff filed a response on May 11, 2018. Dkt. #59. In its reply, defendant conceded that “the facts alleged for the first time in Plaintiff’s Response, if alleged in the Complaint, would be sufficient to establish specific personal jurisdiction over Ford.” Defendant’s counsel accordingly contacted plaintiff on May 17, 2018, and offered to withdraw its pending motion upon the filing of a stipulation allowing plaintiff leave to file a second amended complaint containing the additional jurisdictional facts. Dkt. #61.

A stipulated motion to file a second amended complaint was filed on May 31, 2018. Dkt. #63. The parties also stipulated that defendant would “not assert any defense based on lack of personal jurisdiction or improper venue.” Id. at 1. The stipulated motion was granted on

1 September 4, 2018, Dkt. #64, and plaintiff's Second Amended Complaint was filed on  
2 September 11, 2018. Dkt. 65. Defendant filed its Answer on September 13, 2018. Dkt. #66.

3 Defendant's motion to dismiss plaintiff's FAC is therefore DENIED as moot.  
4

5  
6 DATED this 6<sup>th</sup> day of February, 2019.

7   
8 Robert S. Lasnik  
9 United States District Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28