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The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

MORTENSON MANSON, A JOINT VENTURE, a Washington joint venture, Plaintiff, v. ACE AMERICAN INSURANCE COMPANY, a foreign insurance company, Defendant.
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No. 2:17-cv-00778-RSM

STIPULATION AND ORDER
GRANTING AN EXTENSION
OF TIME TO FILE INITIAL
DISCLOSURES AND COMBINED
JOINT STATUS REPORT AND
DISCOVERY PLAN

Plaintiff, Mortenson Manson, a Joint Venture, (“MMJV”), and Defendant, ACE American Insurance Company, (“ACE”), by and through their respective counsel thereto, stipulate and agree that the time in which the parties shall have to submit their FRCP 26(a)(1) Initial Disclosures shall be extended for good cause shown to July 14, 2017, and the FRCP 26(f) Combined Joint Status Report and Discovery Plan shall be extended for good cause shown to July 21, 2017.

MEMORANDUM OF LAW

Rule 6(b)(1)(A) states, in pertinent part: “When an act may or must be done within a

1 specified time, the court may, for good cause, extend the time: (A) with or without motion or
2 notice if the court acts, or if a request is made, before the original time or its extension expires
3 ...” Fed. R. Civ. P. 6(b)(1)(A).

4 Accordingly, the Court has the discretion and authority to grant an extension of time
5 for the filing of pleadings for good cause. *See PLU Investments, LLC v. Intraspect Group,*
6 *Inc.*, C10-626RSL, 2011 WL 1376192, at *1 (W.D. Wash. Apr. 12, 2011) (citing *In re Veritas*
7 *Software Corp. Sec. Litig.*, 496 F.3d 962, 974 (9th Cir. 2007)). A motion for extension of time
8 filed *before* a deadline has passed should “normally ... be granted in the absence of bad faith
9 on the part of the party seeking relief or prejudice to the adverse party.” *Id.* (citing *Ahanchian*
10 *x. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010).

11 Here, because the parties are engaged in discussions to efficiently gather extensive
12 construction project and insurance documents for production, there is good cause to grant this
13 extension of time and allow the parties until July 14, 2017 to submit their FRCP 26(a)(1) Initial
14 Disclosures and until July 21, 2017 to submit their FRCP 26(f) Combined Joint Status Report
15 and Discovery Plan.

16 DATED this 23rd day of June, 2017.

17 OLES MORRISON RINKER & BAKER LLP

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15 *Attorneys for ACE American Insurance Co.*

16 **ORDER**

17 IT IS SO ORDERED.

18 DATED this 26 day of June 2017.

19 

20 RICARDO S. MARTINEZ

21 CHIEF UNITED STATES DISTRICT JUDGE

1 Presented by:

2 OLES MORRISON RINKER & BAKER LLP

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Approved as to Form; Notice of Presentation

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11 WILSON SMITH COCHRAN DICKERSON

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STIPULATION AND ORDER GRANTING
EXTENSION OF TIME - 4
CASE NO. 2:17-cv-00778-RSM

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