

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,

vs.

ACE AMERICAN INSURANCE COMPANY,
a foreign insurance company,

Defendant.

No. 2:17-cv-00778 RSM

STIPULATED MOTION TO ALLOW
FILING OF AMENDED ANSWER AND
ORDER

The parties hereto bring this Stipulated Motion to Allow Filing of Amended Answer to permit Defendant ACE American Insurance Company (“ACE”) to file an Amended Answer to correct typographical errors in relevant dates set forth in Paragraphs 10 and 14 of ACE’s original Answer filed on May 26, 2017 (Dkt. No. 7).

As more than 21 days have elapsed since ACE filed and served its original Answer, Fed. R. Civ. P. 15(a)(1)(A) requires a Motion because amendment “as a matter of right” is no longer available. (Declaration of Scott M. Stickney in Support of Stipulated Motion to Allow Filing of Amended Answer (“Stickney Decl.”) at ¶ 3.)

STIPULATED MOTION TO ALLOW FILING
OF AMENDED ANSWER AND ORDER – 1
[2:17-cv-00778 RSM]
MES1443.080/2598342x

 WILSON
SMITH
COCHRAN
DICKERSON

901 FIFTH AVENUE, SUITE 1700
SEATTLE, WASHINGTON 98164
TELEPHONE: (206) 623-4100
FAX: (206) 623-9273

1 The parties believe it is in the interest of justice that the errors in ACE's Answer be
2 corrected and thus bring this Stipulated Motion. (Stickney Decl. at ¶ 3.) Attached to the
3 Stickney Decl. as **Exhibit A** is a true and correct, redlined copy of the proposed pleading
4 entitled "Defendant ACE American Insurance Company's Amended Answer," which ACE will
5 file upon the Court's anticipated grant of this Stipulated Motion. (Stickney Decl. at ¶ 4 &
6 **Exhibit A.**)

8 DATED this 27th day of June, 2017.

9
10 s/ Scott M. Stickney

11 Scott M. Stickney, WSBA #14540 (stickney@wscd.com)

12 Maria E. Sotirhos, WSBA #21726 (sotirhos@wscd.com)

13 Jeff M. Sbaih, WSBA #51551 (sbaih@wscd.com)

14 Wilson Smith Cochran Dickerson

901 Fifth Avenue, Suite 1700

Seattle, WA 98164

Telephone (206) 623-4100; Fax (206) 623-9273

15 Attorneys for ACE American Insurance Company

16
17 s/ Angelia D. Wesch (per electronic authorization)

18 Angelia D. Wesch, WSBA# 23377 (wesch@oles.com)

19 Oles Morrison Rinker & Baker LLP

701 Pike Street, Suite 1700

Seattle, WA 98101-3930

20 Telephone: (206)623-3427; Fax: (206)682-6234

21 Attorneys for Plaintiff

ORDER

It is so Ordered.

DATED this 28 day of June, 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

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