

HON. MARSHA J. PECHMAN

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROTOUCH, L.L.C. and 30/10 WEIGHT LOSS,
LLC,
Plaintiffs,

vs.

PAIGE DOYLE, AWAKEN 180 INC., NEWTON
WEIGHTLOSS, LLC, PEABODY WEIGHTLOSS,
LLC, QUINCY WEIGHTLOSS, LLC, and
SEEKONK WEIGHTLOSS, LLC,
Defendants.

CASE NO. 2:17-cv-00996-MJP

**JOINT STIPULATED MOTION
AND [PROPOSED] ORDER TO
EXTEND NOTING DATE FOR
DEFENDANTS' MOTION FOR
PARTIAL SUMMARY
JUDGMENT**

NOTE ON MOTION CALENDAR:
July 16, 2018

PAIGE DOYLE, AWAKEN 180 INC., NEWTON
WEIGHTLOSS, LLC, PEABODY WEIGHTLOSS,
LLC, QUINCY WEIGHTLOSS, LLC, and
SEEKONK WEIGHTLOSS, LLC,
Counterclaimants/Third Party
Plaintiffs,

vs.

MICROTOUCH, L.L.C. and 30/10 WEIGHT LOSS,
LLC,
Counterclaim Defendants,
and
DR. ROCCO NELSON, an individual; and DR.
LINDA DEGROOT (and their marital community);
and one or more JOHN DOES, currently not known
to Third Party Plaintiffs,
Third Party Defendants.

1 For good cause detailed below, the Parties jointly move the Court to extend the noting
2 date for Defendants' Motion for Partial Summary Judgment in this matter by one (1) week—
3 from July 20, 2018 to July 27, 2018. The Parties have been diligently working towards
4 settlement of this matter, and have reached a preliminary settlement agreement. Accordingly,
5 the Parties request a brief extension on the Defendants' pending motion to allow the Parties to
6 finalize the terms of their preliminary settlement agreement. All Parties are in agreement and
7 do not oppose the extension of the noting date for this purpose. Accordingly, pursuant to LCR
8 7(d)(1) and LCR 10(g), the Parties submit this stipulation:

9 **I. PERTINENT FACTS**

10 On June 27, 2018, Defendants filed a Motion for Partial Summary Judgment (ECF #87),
11 which is presently pending before this Court. The current noting date for this Motion is July 20,
12 2018. The Parties are working to finalize the terms of a preliminary settlement agreement, and
13 have agreed to extend the noting date, and all associated opposition and reply briefing deadlines,
14 by one (1) week to enable the Parties to finalize the details of their settlement.

15 **II. ARGUMENT**

16 Good cause exists for extending the noting date at issue. The Parties are close to finalizing
17 their settlement resolving this pending litigation, and a brief one-week extension of the noting
18 date will allow the Parties to finalize this settlement agreement without expending unnecessary
19 additional resources on briefing associated with Defendants' motion.

20 **III. CONCLUSION**

21 For all of the foregoing reasons, this Court should grant this Stipulation and extend the
22 noting date for Defendants' Motion for Partial Summary Judgment (ECF #87) to July 27, 2018,
23 and extend the briefing schedule as follows:

24 //

25 //

26 //

<u>Event</u>	<u>Current Deadline</u>	<u>Requested Extended Deadline</u>
Deadline to file Opposition to Defendants' Motion for Partial Summary Judgment	July 16, 2018	July 23, 2018
Deadline to file Reply in Support of Defendants' Motion for Partial Summary Judgment	July 20, 2018	July 27, 2018
Noting Date for Defendants' Motion for Partial Summary Judgment	July 20, 2018	July 27, 2018

All other deadlines will remain unchanged. IT IS SO STIPULATED.

DATED this 17th day of July, 2018.

TOUSLEY BRAIN STEPHENS PLLC

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s/ Janissa A. Strabuk
s/ Cecily C. Shiel
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2 *Defendants Microtouch, L.L.C. and 30/10*
3 *Weight Loss, LLC and Third-Party Defendants*

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21 *Attorneys for Defendants, Counterclaimants, and*
22 *Third Party Plaintiffs*

1 Based on the foregoing Stipulation, and good cause appearing, therefore,
2 IT IS SO ORDERED.

3
4 DONE IN OPEN COURT this __17th__ day of July, 2018.

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6 

7
8 The Honorable Marsha J. Pechman
9 United States Senior District Court Judge

10
11 Presented by:

12
13 TOUSLEY BRAIN STEPHENS PLLC

14 By: s/ Kim D. Stephens
15 s/ Janissa A. Strabuk
16 s/ Cecily C. Shiel

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4 30/10 Weight Loss, LLC*

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22 *Attorneys for Defendants, Counterclaimants,
23 and Third Party Plaintiffs*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on July 17, 2018, I electronically filed the foregoing with the Clerk
3 of the Court using the CM/ECF system which will send notification of such filing to all parties
4 registered on the CM/ECF system. All other parties (if any) shall be served in accordance with
5 the Federal Rules of Civil Procedure.

6 DATED at Seattle, Washington, this 17th day of July, 2018.

7
8 s/ Janissa A. Strabuk
9 Janissa A. Strabuk, WSBA #21827