

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PROGRESSIVE INTERNATIONAL
CORPORATION,

Plaintiff,

v.

BIG LOTS, INC.,

Defendant.

Civil Action No. 2:17-cv-01046-TSZ

STIPULATION AND ORDER TO
SUBSTITUTE PARTY DEFENDANT
AND CHANGE CASE CAPTION

STIPULATION

This is a stipulation among Plaintiff Progressive International Corp. (“Progressive”), current Defendant Big Lots, Inc. (“Big Lots”) and substitute Defendant Big Lots Stores, Inc. (“Big Lots Stores”).

Big Lots represents that it is a parent holding company of Big Lots Stores, that it does not operate retail stores, and that its wholly-owned subsidiary Big Lots Stores operates retail stores in the Western District of Washington. Big Lots Stores agrees that it operates retail stores in the Western District of Washington, and that it should be the named party defendant.

Pursuant to Federal Rule of Civil Procedure 15, Progressive, Big Lots, and Big Lots Stores stipulate and agree that (1) the Complaint in this action shall be deemed amended to change the name of the party defendant to Big Lots Stores; (2) the Answer in this action shall be

1 deemed to be the answer on behalf of Big Lots Stores, and amended to change the name of the
2 party defendant to Big Lots Stores; and (3) the caption in this matter shall be changed to remove
3 Big Lots as a party defendant and to substitute Big Lots Stores, so that it reads "Progressive
4 International Corporation, Plaintiff, v. Big Lots Stores, Inc., Defendant."

5 The foregoing stipulation is entered into this 19th day of September, 2017.

6 **LOWE GRAHAM JONES^{PLLC}**

7 By: /s/ Lawrence D. Graham
8 Lawrence D. Graham, WSBA No. 25402
9 Graham@LoweGrahamJones.com
10 701 Fifth Avenue, Suite 4800
11 Seattle, Washington 98104
12 T: 206.381.3300
13 F: 206.381.3301

14 *Attorneys for Progressive International Corp.*

SAVITT BRUCE & WILLEY LLP

By: /s/ Duncan E. Manville
Duncan E. Manville, WSBA #30304
1425 Fourth Avenue, Suite 800
Seattle, Washington 98101-2272
Tel.: (206) 749-0500
Fax: (206) 749-0600
Email: dmanville@sbwllp.com

WOOD, HERRON & EVANS LLP

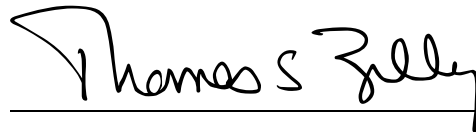
Paul J. Linden (*pro hac vice*)
Jonathan M. Siderits (*pro hac vice*)
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
Tel.: (513) 241-2324
Fax: (513) 241-6234
Email: plinden@whe-law.com
jsiderits@whe-law.com

*Attorneys for Defendant Big Lots, Inc. and Big
Lots Stores, Inc.*

18 **ORDER**

19 It is so ordered.

20 DATED this 19th day of September, 2017.

21 

22 Thomas S. Zilly
23 United States District Judge