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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 EDWARD CALE,

11 Plaintiff,

12 v.

13 UNITED STATES OF AMERICA,

14 Defendant.  
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CASE NO. C17-1099 MJP

MINUTE ORDER

16 The following minute order is made by the direction of the court, the Honorable Marsha  
17 J. Pechman, United States District Judge:

18 This minute order addresses two pending motions:

- 19 1. Defendant's Motion to Dismiss (Dkt. No. 5): In Defendant's Reply to Its Motion to  
20 Dismiss (Dkt. No. 18), Defendant indicates its belief that, in light of an amended  
21 complaint filed by Plaintiff (Dkt. No. 14), its motion to dismiss is now moot.

22 Defendant stipulates to the denial of its pending motion and indicates a new motion to  
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24

1 dismiss the amended complaint will be forthcoming. Accordingly, the Court  
2 DENIES Defendant's motion to dismiss.

- 3 2. Plaintiff's "Motion to Proceed with Case and Extend Deadlines" (Dkt. No. 15): In  
4 this motion, Plaintiff moves "for an extension of filing documents and evidence." (Id.  
5 at 1.) It is entirely unclear what documents and evidence are being referenced, or the  
6 Federal Rule of Civil Procedure under which Plaintiff is requesting the extension. As  
7 the parties are yet to file a Joint Status Report (which is due on October 18), there is  
8 no case schedule currently in place and thus no deadlines to extend. The motion will  
9 be DENIED pending a clarification of Plaintiff's request, the creation of a case  
10 schedule and pretrial deadlines, or both.

11 The clerk is ordered to provide copies of this order to Plaintiff and all counsel.

12 Filed: October 3, 2017.

13 William M. McCool  
14 Clerk of Court

15 s/Paula McNabb  
16 Deputy Clerk  
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