

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

EDWARD CALE,

Plaintiff,

V.

UNITED STATES OF AMERICA,

Defendant.

CASE NO. C17-1099 MJF

## MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable Marsha S. Hoffman, United States District Judge:

This minute order addresses two pending motions:

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

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

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

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

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

Filed: October 3, 2017.

William M. McCool  
Clerk of Court

s/Paula McNabb  
Deputy Clerk