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5 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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7 VENICE PI, LLC,

8 Plaintiff,

9 v.

10 MICHAEL SMITH,

11 Defendant.

C17-1211 TSZ

MINUTE ORDER

12 The following Minute Order is made by direction of the Court, the Honorable  
Thomas S. Zilly, United States District Judge:

13 (1) By Minute Order entered June 19, 2019, docket no. 72, the Court dismissed  
14 plaintiff's Amended Complaint, docket no. 17, without prejudice and with leave to  
15 amend. Plaintiff's subsequently filed motion, docket no. 73, to voluntarily dismiss the  
operative pleading is STRICKEN as moot.

16 (2) The Court's earlier Minute Order also directed plaintiff to show cause why  
17 default should not be entered against it for failing to timely answer defendant Michael  
18 Smith's counterclaims. Plaintiff has since filed an Answer, docket no. 74, to Smith's  
19 counterclaims, as well as a notice of its intent not to file a Second Amended Complaint,  
docket no. 75. The Court therefore declines to enter default against plaintiff, and the  
20 matters remaining in this action are Smith's counterclaims for declaratory judgment of  
21 non-infringement and abuse of process.

22 (3) The parties are hereby DIRECTED to meet and confer and to file, within  
23 twenty-one (21) days of the date of this Minute Order, a Joint Status Report in the form  
set forth in the Minute Order entered August 25, 2017, docket no. 9. Smith shall initiate  
the requisite contact with plaintiff's counsel, and the parties shall cooperate in the filing  
of a Joint Status Report. Failure to timely file a Joint Status Report will be grounds for  
dismissal of Smith's counterclaims.

1           (4)     The Clerk is directed to send a copy of this Minute Order to all counsel of  
2 record and to pro se defendant Michael Smith.

3           Dated this 11th day of September, 2019.

4                                 William M. McCool  
5                                 Clerk

6                                 s/Karen Dews  
7                                 Deputy Clerk