

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VENICE PI, LLC,

Plaintiff,

V.

MICHAEL SMITH,

Defendant.

C17-1211 TSZ

MINUTE ORDER

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

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

(2) The Court's earlier Minute Order also directed plaintiff to show cause why default should not be entered against it for failing to timely answer defendant Michael Smith's counterclaims. Plaintiff has since filed an Answer, docket no. 74, to Smith's 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 matters remaining in this action are Smith's counterclaims for declaratory judgment of non-infringement and abuse of process.

(3) The parties are hereby DIRECTED to meet and confer and to file, within 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.

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

Dated this 11th day of September, 2019.

William M. McCool

Clerk

s/Karen Dews

Deputy Clerk