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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARLENE M. BROWN,

Plaintiff,

v.

THE BOEING COMPANY, EMPLOYEE
BENEFIT PLANS COMMITTEE,

Defendants.

Case No. C17-1354 RSM

**STIPULATED MOTION FOR
EXTENSION OF TIME FOR MOTION
PRACTICE UNDER FRCP 12(f) AND
ORDER**

STIPULATION

The parties hereby file this stipulated motion pursuant to LCR 7(d)(1) and LCR 10(g) to request that the Court allow for an extension of the deadlines for the parties to file any motions pursuant to FRCP 12(f). The purpose of this relief is to allow the parties to discuss the possibility of streamlining the issues in this suit at their FRCP 26(f) conference, which is currently scheduled to take place on or before January 17, 2018. (See Dkt. # 13.) Absent an Order granting this stipulated motion, any motions filed by Defendants under FRCP 12(f) would need to be filed prior to responding to the First Amended Complaint (Dkt. # 16) on December 21, 2017, and any motions filed by Plaintiff under Rule 12(f) would need to be filed within 21 days after receiving Defendants' response to Plaintiff's First Amended Complaint. See FRCP 12(f)(2).

On October 26, 2017, the parties filed a stipulated motion pursuant to which Plaintiff would have until November 15, 2017 to file an Amended Complaint, and Defendants would have

1 until December 21, 2017, to file their Response to the Amended Complaint. (Dkt. # 12.) The
2 parties further stipulated to a deadline of January 17, 2018, for the FRCP 26(f) Conference, with
3 the parties to exchange FRCP 26(a) Initial Disclosures by January 24, 2017 and submit a FRCP
4 and LCR 26(f) Joint Status Report to the Court by January 31, 2018. (*Id.*) The Court granted the
5 parties' stipulated motion on October 27, 2017. (Dkt. # 13.)

6 Plaintiff filed her Amended Complaint on November 14, 2017. (Dkt. # 16.) Defendants
7 are currently preparing their responsive pleading, which they will file on or before December 21,
8 2017. The parties conferred by telephone on December 4, 2017 and Defendants indicated to
9 Plaintiff that they may move to strike, among other things, her jury demand. The parties
10 determined that it would be most fruitful to allow the parties to engage in further negotiation
11 during the parties' FRCP 26(f) conference and to see if motion practice can be avoided.

12 Accordingly, the parties agreed to extend the deadline to file any FRCP 12(f) motion to
13 February 15, 2018. The parties further agreed that the deadline to respond to any FRCP 12(f)
14 motion would be 21 days later, on March 8, 2018.

15 The parties thus jointly ask the Court to set February 15, 2018 as the deadline to file any
16 motions under FRCP 12(f), and March 8, 2018 as the deadline to file responses to any FRCP
17 12(f) motion.

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19 IT IS SO STIPULATED.

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21 DATED this 6th day of December, 2017.
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FOX ROTHSCHILD LLP

By: s/ Arlene M. Brown

By: s/ Emily A. Glunz

(with permission)

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Attorneys for Defendants

1 **ORDER**

2 The stipulation of the parties is hereby entered. The parties' deadline to file any motions
3 to strike under FRCP 12(f) is extended to February 15, 2018. The deadline to respond to any
4 motions under FRCP 12(f) is extended to March 8, 2018.

5 DATED this 6th day of December 2017.

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8 RICARDO S. MARTINEZ
9 CHIEF UNITED STATES DISTRICT JUDGE

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12 Presented by:

13
14 MORGAN, LEWIS & BOCKIUS, LLP

15 By: s/ Emily A. Glunz

16
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