

The Honorable Ricardo S. Martinez

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARLENE M. BROWN,

Plaintiff,

v.

THE BOEING COMPANY and EMPLOYEE
BENEFIT PLANS COMMITTEE,

Defendants.

NO. C17-1354-RSM

**STIPULATED MOTION TO
EXTEND DEADLINES ON
REMAND**

STIPULATED MOTION TO EXTEND DEADLINES ON REMAND

The Parties hereby file this stipulated motion pursuant to LCR 7(d)(1) and 10(g) to request that the Court extend the deadlines previously set for the remand of Plaintiff’s claim for benefits to Defendant the Employee Benefit Plans Committee (“Committee”). The Parties respectfully submit that good cause exists to extend the deadlines on remand while the Parties explore alternate methods of resolving this matter. In support of their Stipulated Motion, the Parties state as follows:

1. On June 3, 2019, the Parties made a Stipulated Motion to Stay Case Pending Remand to Employee Benefit Plans Committee. ECF 76. The Parties therein agreed that, within

1 105 days of the Court entering an order staying the federal court proceedings in this matter,
2 “Plaintiff (through her counsel) shall . . . submit any comments, documents, records, or other
3 information she so chooses to the Committee for its review.” ECF 76 at 2–3. The Parties further
4 agreed that the Committee would “then have 60 days to render its determination on Plaintiff’s
5 claim, which may be extended an additional 60 days pursuant to 29 C.F.R. § 2560.503-
6 1(i)(1)(i).” *Id.* at 3.

7 2. The Court entered an order granting the Parties’ Stipulated Motion to Stay Case
8 Pending Remand to Employee Benefit Plans Committee on June 4, 2019. ECF 77. The Court
9 directed the Parties to file a joint status report within 180 days of entry of the order. *Id.* The
10 proceedings in this matter have therefore been stayed pending a remand to the Employee
11 Benefit Plans Committee of Plaintiff’s administrative claim, and the Parties must file a joint
12 status report no later than December 2, 2019.

13 3. Plaintiff’s deadline to submit any comments, documents, records, or other
14 information she so chooses to the Committee for its review is September 17, 2019. The Parties
15 hereby agree and stipulate that good cause exists to extend that deadline. The Parties therefore
16 stipulate to extend the deadline for Plaintiff to provide materials to the Employee Benefit Plans
17 Committee for Review on Remand to October 17, 2019.

18 4. The Parties further agree that the Committee will then have 60 days to render its
19 determination on Plaintiff’s claim, which may be extended an additional 60 days pursuant to
20 29 C.F.R. § 2560.503-1(i)(1)(i).

21 5. The Parties respectfully propose filing a joint status report no later than January
22 3, 2020.

23 WHEREFORE, the Parties jointly ask the Court to extend the Parties’ deadlines on

1 remand as set forth above.

2 IT IS SO STIPULATED.

3 DATED this 16th day of September, 2019.

4 *By: s/Kaleigh N. Powell*

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Company and The Boeing Company
Employee Benefit Plans Committee*

1 **ORDER**

2 The Court hereby grants the Parties' Stipulated Motion to Extend Deadlines on
3 Remand. The Parties are directed to file a joint status report no later than January 3, 2020.

4 IT IS SO ORDERED this 17 day of September 2019.

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7 RICARDO S. MARTINEZ
8 CHIEF UNITED STATES DISTRICT JUDGE

9 Presented by:

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