

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DIAMOND CONSTRUCTION LLC,

Plaintiff,

v.

ATLANTIC CASUALTY INSURANCE
COMPANY,

Defendant.

CASE NO. C17-1408-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Bellevue Park Homeowners Association’s (“Bellevue Park”) response (Dkt. No. 19) to Defendant’s motion for summary judgment (Dkt. No. 13). On January 22, 2018, Bellevue Park filed a notice of appearance “as an assignee of Diamond Construction LLC,” and asserted that it is a plaintiff in this action. (Dkt. No. 10.) Bellevue Park did not file the complaint, is not named in the complaint, and no party has sought leave to join Bellevue Park to this action. In short, Bellevue Park has not been properly made a party to this lawsuit.

Therefore, the parties are ORDERED to show cause why Bellevue Park’s response to Defendant’s motion for summary judgment should not be STRICKEN. Alternatively, the parties

1 are ORDERED to show cause why Bellevue Park, as assignee of Plaintiff Diamond Construction
2 LLC's claims, should not be substituted or joined as the Plaintiff in this matter.

3 The parties shall submit a joint filing that addresses these issues no later than Friday July
4 27, 2018. The Clerk is DIRECTED to re-note Defendant's motion for summary judgment (Dkt.
5 No. 13) to August 3, 2018.

6 DATED this 24th day of July 2018.

7 William M. McCool
8 Clerk of Court

9 s/Tomas Hernandez
10 Deputy Clerk