

Hon. James L. Robart

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

LEONARD A. LEMMON, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

EQUIFAX INFORMATION SERVICES
LLC,

Defendant.

No. 2:17-cv-01464-JLR

**STATUS REPORT, STIPULATION, AND
~~PROPOSED~~ ORDER TO STAY
PROCEEDINGS**

**NOTE ON MOTION CALENDAR:
September 27, 2019**

Pursuant to the Court's Order dated April 23, 2019 (Dkt. 37), Plaintiff Leonard A. Lemmon, and Defendant Equifax Information Services LLC ("Equifax"), by counsel, hereby provide this notice regarding the status of the case.

As set forth in the parties' April 22, 2019 Status Report (Dkt. 36), the parties agreed to a nationwide settlement in *Thomas v. Equifax Info. Servs., LLC*, No. 3:18-cv-00684-MHL (E.D. Va.). The terms of the nationwide *Thomas* settlement embraced and resolved all class claims, including the class claims pled in this litigation. The preliminary approval order entered on May 14, 2019 by the *Thomas* Court prohibited the parties from commencing, pursuing, maintaining, enforcing or prosecuting, either directly or indirectly, any released

**STATUS REPORT, STIPULATION, AND [PROPOSED] ORDER
TO STAY PROCEEDINGS, 2:17-cv-01464-JLR - 1**

MARKOWITZ HERBOLD PC
1455 SW BROADWAY, SUITE 1900
PORTLAND, OREGON 97201
(503) 295-3085

1 claim in any judicial, administrative, arbitral or other forum, against any of the released
2 parties. *See Thomas*, Dkt. 40 at 6-7 (attached hereto as Exhibit A).

3 The Court in *Thomas* granted final approval of the nationwide settlement on
4 September 13, 2019, which released the class claims in all pending class actions (including
5 this one) regarding the reporting of public records information. Pursuant to the Stipulation
6 and Agreement of Settlement in *Thomas*, no later than the effective date of the Settlement, or
7 October 4, 2019, Plaintiff must dismiss with prejudice all class allegations asserted against
8 Equifax in this case. Further, the parties respectfully request two weeks from that date to
9 determine whether they can amicably resolve Plaintiff's remaining individual claims in this
10 case. The parties propose that they will notify the Court by no later than October 18, 2019 as
11 to whether they have reached a resolution of those remaining individual claims, or
12 alternatively will propose a scheduling order to govern the remaining deadlines in the case.
13 An endorsement ordering this further stay of deadlines appears at the bottom of this
14 stipulation.

15 STIPULATED TO AND DATED this 27th day of September, 2019.

16 /s/Jeffrey M. Edelson
Jeffrey M. Edelson, WSB # 37361
17 MARKOWITZ HERBOLD PC
1211 SW Fifth Avenue, Suite 3000
18 Portland, OR 97204-3730
19 503-295-3085
503-323-9105 (fax)
20 JeffEdelson@markowitzherbold.com

/s/Erika L. Nusser
Beth E. Terrell, WSBA #26759
Erika L. Nusser, WSBA #40854
Elizabeth A. Adams, WSBA #49175
21 TERRELL MARSHALL LAW GROUP
22 PLLC
936 North 34th Street, Suite 300
Seattle, WA 98103-8869
206-816-6603

21 Zachary A. McEntyre (*pro hac vice*)
22 Meryl W. Roper (*pro hac vice*)
23 John C. Toro (*pro hac vice*)
KING & SPALDING LLP
1180 Peachtree Street
24 Atlanta, GA 30309
404-572-4600
25 404-572-5100 (fax)
26 zmcentyre@kslaw.com

206-319-5450 (fax)
bterrell@terrellmarshall.com
enusser@terrellmarshall.com
eadams@terrellmarshall.com
James A. Francis (*pro hac vice*)
John Soumilas (*pro hac vice*)
Lauren K. W. Brennan (*pro hac vice*)
FRANCIS & MAILMAN, P.C.

1 mroper@kslaw.com
2 jtoro@kslaw.com

1600 Market Street, 25th Floor
Philadelphia, Pennsylvania 19103
215-735-8600
215-940-8000 (fax)
jfrancis@consumerlawfirm.com
jsoumilas@consumerlawfirm.com
lbrennan@consumerlawfirm.com

3 Katherine M. Stein (pro hac vice)
4 KING & SPALDING LLP
5 500 W. 2nd Street, Suite 1800
6 Austin, TX 78701
7 512-457-2000
8 512-457-2100 (fax)
9 kstein@kslaw.com

10 *Attorneys for Defendant, Equifax*
11 *Information Services LLC*

Attorneys for Plaintiff, Leonard A. Lemmon

12 **II. ORDER**

13 IT IS SO ORDERED this 30th day of September, 2019.

14 
15 _____
16 THE HONORABLE JAMES L. ROBART

17 Presented by:

18 s/Jeffrey M. Edelson
19 Jeffrey M. Edelson, WSB # 37361
20 MARKOWITZ HERBOLD PC
1211 SW Fifth Avenue, Suite 3000
Portland, OR 97204-3730
503-295-3085
503-323-9105 (fax)
JeffEdelson@markowitzherbold.com

21 Zachary A. McEntyre (*pro hac vice*)
22 Meryl W. Roper (*pro hac vice*)
23 John C. Toro (*pro hac vice*)
24 KING & SPALDING LLP
25 1180 Peachtree Street
26 Atlanta, GA 30309
404-572-4600
404-572-5100 (fax)
zmcentyre@kslaw.com
mroper@kslaw.com

**STATUS REPORT, STIPULATION, AND [PROPOSED] ORDER
TO STAY PROCEEDINGS, 2:17-cv-01464-JLR - 3**

MARKOWITZ HERBOLD PC
1455 SW BROADWAY, SUITE 1900
PORTLAND, OREGON 97201
(503) 295-3085

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

jtoro@kslaw.com

Katherine M. Stein (pro hac vice)
KING & SPALDING LLP
500 W. 2nd Street, Suite 1800
Austin, TX 78701
512-457-2000
512-457-2100 (fax)
kstein@kslaw.com

Attorneys for Defendant, Equifax Information Services LLC