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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 SANDRA L. FERGUSON,

10 Plaintiff,

11 v.

12 BRIAN J. WAID AND THE WAID  
13 MARITAL COMMUNITY,

14 Defendants.  
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Case No. C17-1685RSM

ORDER STRIKING PLAINTIFF'S  
MOTION TO COMPEL

16 On March 20, 2018, Plaintiff Sandra Ferguson filed a Motion to Compel Production of  
17 Documents Pursuant to Subpoena. Dkt. #95. This Motion relies on a declaration of Ms.  
18 Ferguson with attached exhibits. *See* Dkts. #95-1 through #95-5. The declaration is not signed  
19 under penalty of perjury as required by 28 U.S.C. § 1746. *See* Dkt. #95-1.  
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21 The Court has previously chastised Ms. Ferguson about this exact issue. On March 26,  
22 2018, the Court issued a Minute Order striking several of Ms. Ferguson's declarations because  
23 she failed to sign them under penalty of perjury. Dkt. #54 (citing Dkts. #48, #49, and #51).  
24 The Minute Order also struck the Motion connected to the declarations for other procedural  
25 reasons. The Court explicitly instructed her to re-submit her declarations under penalty of  
26 perjury and warned her that "[f]ailure to follow the above rules will result in the Court striking  
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1 this Motion again.” *Id.* Ms. Ferguson re-submitted her declarations signed under penalty of  
2 perjury. *See* Dkts. #59 #60, and #61.

3 The Court has repeatedly noted Ms. Ferguson’s other procedural errors in this case, *see*,  
4 *e.g.*, Dkts. #54, #72, and #89, and twice explicitly warned her that future violations would  
5 result in sanctions. Dkts. #82 and #84.

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7 The remaining issues in this case turn on the truth or falsity of statements made by Ms.  
8 Ferguson. It is thus particularly unacceptable that she continually fails to follow this procedure  
9 requiring her to submit testimony declared under penalty of perjury to be true and correct.

10 Given all of the above, the Court STRIKES Ms. Ferguson’s Motion to Compel, Dkt.  
11 #95, and all attachments. The deadline for discovery motions has now passed. *See* Dkt. #55.  
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14 DATED this 19<sup>th</sup> day of June, 2018.

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17 RICARDO S. MARTINEZ  
18 CHIEF UNITED STATES DISTRICT JUDGE  
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