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HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WESTERN HERITAGE INSURANCE  
COMPANY,

Plaintiff,

v.

MARGO LINDSAY, as Personal  
Representative of THE ESTATE OF  
NICHOLAS LINDSAY, deceased; and  
ANNETTA GREER, as Personal  
Representative of THE ESTATE OF  
ANTAUN GREER, deceased,

Defendants.

NO. 2:17-cv-01795-RSL

JOINT STIPULATED MOTION AND  
~~PROPOSED~~ ORDER EXTENDING  
DISCOVERY DEADLINES AND TRIAL  
DATE

NOTE ON MOTION CALENDAR: February  
26, 2019

**CLERK'S ACTION REQUIRED**

Pursuant to FRCP 16(b)(4) and LCR 16(b)(5), undersigned counsel for Plaintiff Western Heritage Insurance Company ("WHIC") and Defendants Margo Lindsay and Annetta Greer (collectively "the Estates"), hereby stipulate and agree, subject to the Court's approval, to extend by approximately six months the deadlines for all remaining discovery- and trial-related dates as set forth in the Court's November 7, 2018 Amended Order Setting Trial Date & Related Dates. See Dkt. No. 30. This joint stipulated motion is made in the interests of preserving judicial resources and avoiding unnecessary discovery and expense for the Parties.

1 This case involves issues pertaining to both WHIC's duty to defend and the scope of  
2 WHIC's coverage obligations under an insurance policy issued by WHIC to the policyholder-  
3 assignor, and related extracontractual claims under Washington common and statutory law.  
4 Cross-motions filed by the Estates and WHIC are currently pending related to WHIC's duty to  
5 defend and the scope of its indemnity obligation. *See* Dkt. Nos. 33, 37, 39, 42, 43. The Parties  
6 agree that resolution of the pending cross-motions will significantly impact the viability and  
7 outcome of the remaining issues in this action. Further, the Parties wish to minimize  
8 unnecessary discovery and costs, including the use of experts, to the fullest extent possible. The  
9 Parties anticipate that the Court's decision on summary judgment will significantly clarify and  
10 narrow the remaining issues requiring discovery and/or expert witness testimony, and  
11 significantly reduce the issues for trial and/or further dispositive motions.

12 The Parties therefore believe that extending the discovery deadlines and trial date to a  
13 time that allows discovery, including expert disclosures, to occur after the Court issues a decision  
14 on the pending cross-motions will preserve judicial resources and minimize unnecessary  
15 discovery and expenses for the Parties. For these reasons, the Parties seek a six-month extension  
16 of discovery and trial-related deadlines regarding all issues remaining after the pending motions  
17 are decided. Accordingly, the parties stipulate and agree that the trial date should be continued  
18 to **June 1, 2020**, with all other discovery and trial-related dates rescheduled accordingly.

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JOINT STIPULATED MOTION AND ~~PROPOSED~~ ORDER  
EXTENDING DISCOVERY DEADLINES AND TRIAL DATE - 2  
NO. 2:17-cv-01795-RSL

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1 DATED this 26<sup>th</sup> day of February, 2019.

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Attorneys for Plaintiff

11 **ORDER**

12 IT IS HEREBY ORDERED that the trial date in the above-captioned matter shall be  
13 extended for good cause to June 1, 2020, and all other discovery and trial-related dates  
14 rescheduled accordingly. A new Order Setting Trial Date and Related Dates shall be issued.

15 DATED this 27<sup>th</sup> day of February, 2019.

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18 The Honorable Robert S. Lasnik  
19 United States District Judge