

The Honorable James L. Robart

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

RICHARD HOMCHICK, as individual,

Plaintiff,

v.

KING COUNTY, a home rule charter county and  
municipal corporation doing business as KING  
COUNTY SHERIFF'S OFFICE and the KING  
COUNTY PROSECUTING ATTORNEY'S  
OFFICE; JOHN URQUHART, individually and  
in his official capacity as King County Sheriff;  
DANIEL SATTERBERG, individually and in  
his official capacity as King County Prosecutor;  
and JOHN DOES 1-10,

Defendants.

No. C18-00377-JLR

JOINT STIPULATION TO FILE  
SECOND AMENDED COMPLAINT

*Noted for Consideration for:  
May 12, 2020*

STIPULATION

Pursuant to Fed. R. Civ. P. 15(a)(2), Local Civil Rule 15, and Local Civil Rule 7(d),  
the parties, by and through their counsel of record, hereby stipulate to entry of the proposed  
Order set forth below, granting Plaintiff leave to file a Second Amended Complaint in the  
form attached as Exhibit A hereto. In support of this request, the parties submit as follows:

1. The original complaint in this matter was filed on March 12, 2018. Dkt. #1.  
Plaintiff filed his First Amended Complaint on March 20, 2018. Dkt. #10. The case was

1 thereafter stayed for several months pending resolution of then-pending criminal cases of  
2 former co-plaintiffs, Charles Peters and Keith Emmanuel. Subsequently, former plaintiffs  
3 Peters and Emmanuel voluntarily dismissed their action. In addition, former defendants City  
4 of Bellevue and Chief Steven Mylett were voluntarily dismissed from this action.

5 2. On August 9, 2019, the Court granted the parties' Stipulated Motion to  
6 Continue Trial Date and Extend Existing Pre-trial Deadlines. Dkt. #52. On August 13, 2019,  
7 the Court issued a new case schedule that set a deadline for amended pleadings for June 3,  
8 2020. Dkt. #53.

9 3. In accordance with the case schedule, Plaintiff seeks to amend his pleading in  
10 the form attached as Exhibit A. Pursuant to Local Civil Rule 15, Plaintiff has attached as  
11 Exhibit B a redlined copy of the proposed amended pleading indicating how it differs from  
12 the First Amended Complaint. The proposed amended pleading does not alter the claims of  
13 the current operative complaint. Rather, it adds details and further context for the factual  
14 allegations in support of the existing claims, as well as amends the caption to reflect the  
15 correct current parties.

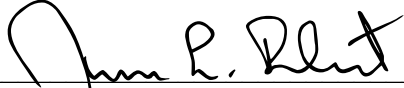
16 4. Plaintiff has conferred with Defendants concerning the proposed amendment,  
17 and Defendants have indicated that they do not oppose the filing of the Second Amended  
18 Complaint. By agreeing to this stipulation, Defendants in no way endorse the Second  
19 Amended Complaint or agree to its factual accuracy. Defendants merely agree that  
20 permitting the amendment without a motion will speed resolution of this case.

21 5. Based on the foregoing, Plaintiff respectfully requests that the Court grant  
22 Plaintiff leave to file the Second Amended Complaint in the form attached as Exhibit A.

ORDER

IT IS SO ORDERED. Pursuant to Local Civil Rule 15, Plaintiff shall file and serve the amended pleading on all parties within fourteen (14) days of the filing of the Order.

DATED this 13th day of May, 2020.

  
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JAMES L. ROBART  
United States District Judge

Respectfully Submitted:

BAILEY DUQUETTE P.C.  
Counsel for Plaintiff

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Approved as to Form:

KING COUNTY PROSECUTING ATTORNEY'S OFFICE  
Counsel for Defendants

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