

The Honorable Ricardo S. Martinez

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

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CLOANTO CORPORATION, AMIGA, INC.,  
ITEC, LLC and AMINO DEVELOPMENT  
CORPORATION,

Plaintiffs,

- against -

HYPERION ENTERTAINMENT CVBA,

Defendant.

Civil Action No.: 2:18-cv-00381-RSM  
(consolidated with 2:18-cv-00535)

HYPERION ENTERTAINMENT CVBA

Counterclaim Plaintiff,

- against -

CLOANTO CORPORATION, AMIGA, INC.,  
ITEC, LLC and AMINO DEVELOPMENT  
CORPORATION,

Counterclaim Defendants.

**STIPULATED MOTION TO  
CONTINUE TRIAL DATE AND  
RELATED DATES BY THREE  
MONTHS TO FACILITATE  
SETTLEMENT DISCUSSIONS**

NOTE ON MOTION CALENDAR:  
October 6, 2020

Hyperion Entertainment C.V.B.A. et al v Itec LLC et al

Doc: ae

1 **STIPULATION**

2 Defendant/Counterclaim Plaintiff Hyperion Entertainment CVBA (“Defendant”),  
3 together with Plaintiffs/Counter-Defendants Cloanto Corporation, Amiga, Inc., Amino  
4 Development Corporation, and Itec, LLC (“Plaintiffs”) (collectively, the “Parties”), pursuant to  
5 LCR 7(d)(1) and LCR 10(g), jointly move the Court for an order extending, by approximately  
6 three months, the dates in the Court’s Order of July 21, 2020 (Dkt. No. 94). The Parties submit  
7 there is good cause to modify the current case schedule, for the reasons set forth below.

8 The Parties have resumed substantial and earnest settlement discussions to resolve all of  
9 the matters between them, including those at issue in this consolidated proceeding. However, the  
10 Parties’ principals reside in Belgium and northern Italy, which the COVID-19 crisis has hit  
11 particularly hard. The additional time the Parties request will enable them to focus exclusively  
12 on trying to settle this dispute without further assistance from this Court. Accordingly, the  
13 Parties respectfully request that the Court extend the remaining deadlines as follows:

<u>Deadline/Event</u>	<u>Current</u>	<u>Proposed</u>
All dispositive motions must be filed by and Noted on the motion calendar no later than the THIRD Friday thereafter	11/05/2020	02/05/2021
Mediation per LCR 39.1(c)(3), if requested held no later than	12/17/2020	03/17/2021
All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter	01/07/2021	04/07/2021
Agreed pretrial order due	01/22/2021	04/22/2021
Pretrial conference to be scheduled by the Court		
Trial brief, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due	01/29/2021	04/29/2021

1 The Parties' joint request is not sought for purposes of delay. Rather, due to the  
2 complexity of the issues for settlement, coupled by the COVID-19 crisis, the Parties believe that  
3 a three-month extension is necessary to afford them the opportunity to settle all issues that may  
4 arise in the future.

5 Respectfully submitted this Wednesday, October 7, 2020.

6 By /s/ Gordon E. R. Troy

7 Gordon E. R. Troy  
8 *Pro Hac Vice*  
9 Gordon E. R. Troy, PC  
10 5203 Shelburne Road  
11 Shelburne, VT 05482  
12 Tel. (802) 881-0640  
13 [gtroy@webtm.com](mailto:gtroy@webtm.com)

By /s/ Eric J. Harrison

Eric J. Harrison  
5400 California Avenue SW, Suite E  
Seattle, WA 98136  
Tel. (206) 388-8092  
[eric@attorneywestseattle.com](mailto:eric@attorneywestseattle.com)  
Attorney for Hyperion Entertainment CVBA

11 By /s/ Michael G. Atkins

12 Michael G. Atkins, WSBA# 26026  
13 Atkins Intellectual Property, PLLC  
14 113 Cherry Street #18483  
15 Seattle, WA 98104-2205  
16 Tel (206) 628-0983  
17 [mike@atkinsip.com](mailto:mike@atkinsip.com)

18 Attorneys for Cloanto Corporation,  
19 Amiga, Inc., Amino Development Corporation,  
20 and Itec, LLC

21 **ORDER**

22 **SO ORDERED, the new Trial Date is 5/03/2021.**

23 DATED this 7<sup>th</sup> day of October, 2020.

24 

25 RICARDO S. MARTINEZ  
26 CHIEF UNITED STATES DISTRICT JUDGE

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

**CERTIFICATE OF SERVICE**

I hereby certify that on the Wednesday, October 7, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Gordon E. R. Troy, [gtroy@webtm.com](mailto:gtroy@webtm.com)

By /s/ Eric J. Harrison  
Eric J. Harrison  
Attorney West Seattle, P.S.  
5400 California Ave. SW, Ste. E  
Seattle, WA 98136  
Phone: 206 388 8092