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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

ADRIENNE BENSON and MARY  
SIMONSON, individually and on behalf of all  
others similarly situated,

*Plaintiffs,*

v.

DOUBLEDOWN INTERACTIVE, LLC, a  
Washington limited liability company, and  
INTERNATIONAL GAME TECHNOLOGY,  
a Nevada corporation,

*Defendants*

Case No. 18-cv-00525-RSL

**STIPULATED MOTION AND  
ORDER RE PLEADINGS  
AMENDMENT AND BRIEFING  
SCHEDULE ON PLAINTIFFS’  
MOTION FOR CLASS  
CERTIFICATION AND  
PRELIMINARY INJUNCTION**

After recent discussions between counsel, including as to the effect of International Game  
Technology’s recent-filed amended answer and the appropriate role in this case (if any) of  
International Game Technology’s “IGT”, *see* Dkt. 238 ¶ 1, the parties have agreed—subject to  
Court approval—to the following:

- Plaintiffs are granted leave to file the [proposed] Second Amended Complaint, attached hereto as Exhibit 1, which adds International Game Technology’s subsidiary “IGT” as an additional defendant but makes no other substantive changes to the pleadings.

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- 1           ○ Plaintiffs shall file the Second Amended Complaint within twenty-four hours of  
the Court’s order granting this stipulation.
- 2           ○ The deadlines for Defendants to respond to Plaintiffs’ class certification and  
3           preliminary injunction motion, Dkt. 164, shall be 14 days after the date the  
4           Second Amended Complaint is filed, but no sooner than May 11, 2021.  
DoubleDown may file a response of up to 32 pages, and the IGT defendants may  
together file a response of up to 24 pages.
- 5           ○ Plaintiffs may, by no later than 14 days after the Defendants’ responses are filed,  
6           file a combined reply in support of class certification and a preliminary injunction  
of up to 32 pages.
- 7           ○ All other case deadlines remain unchanged.
- 8           ○ The newly-added IGT defendant may file a Rule 12(b)(6) motion as to the Second  
9           Amended Complaint. The parties agree that neither International Game  
Technology nor DoubleDown shall file any other pleadings motions or  
10          arbitration-related motions as to the Second Amended Complaint. However:
  - 11           ▪ All Defendants state that they may file Rule 12(c) motions. Plaintiffs state  
that any such motions would be unwarranted and improper.
  - 12           ▪ DoubleDown states that it may file motion(s) to compel Adrienne Benson  
13           and/or Mary Simonson to arbitration based on deposition testimony that  
DoubleDown contends constitutes actual notice of an agreement to  
14           arbitrate. Plaintiffs state that any such motions would be untimely,  
unwarranted, and improper.
- 15          ○ Defendants shall not seek any additional delay or stay of the current class  
16          certification and preliminary injunction briefing schedule, nor shall Defendants  
argue that Plaintiffs must file a renewed class certification and preliminary  
17          injunction motion in light of the filing of the Second Amended Complaint.

18  
19           The Parties respectfully request that the Court grant this stipulated motion and enter the  
20 attached [Proposed] Order.

1 Dated: April 23, 2021

Respectfully submitted,

2 Attorneys for Plaintiffs  
3 **ADRIENNE BENSON** and **MARY SIMONSON**  
4 individually and on behalf of all others similarly  
situated,

5 By: /s/ Todd Logan  
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\*Admitted *pro hac vice*

1 Dated: April 23, 2021

Respectfully submitted,

2 Attorneys for Defendant  
3 International Game Technology

4 By: /s/ Paul Karlsgodt

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1 Dated: April 23, 2021

Respectfully submitted,

2 Attorneys for Double Down Interactive, LLC

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17  
18 **ORDER**

19 The Parties' stipulated motion is GRANTED. The Court ORDERS as follows:

- 20
- 21 ○ Plaintiffs are granted leave to file the proposed Second Amended Complaint,  
22 attached to the parties' stipulation as Exhibit 1, which adds International Game  
23 Technology's subsidiary "IGT" as an additional defendant but makes no other  
24 substantive changes to the pleadings.
  - 25 ○ Plaintiffs shall file the Second Amended Complaint within twenty-four hours of  
26 the Court's order granting this stipulation.
  - 27 ○ The deadlines for Defendants to respond to Plaintiffs' class certification and  
preliminary injunction motion, Dkt. 164, shall be 14 days after the date the  
Second Amended Complaint is filed, but no sooner than May 11, 2021.  
DoubleDown may file a response of up to 32 pages, and the IGT defendants may  
together file a response of up to 24 pages.

- 1           ○ Plaintiffs may, by no later than 14 days after the Defendants’ responses are filed,  
2           file a combined reply in support of class certification and a preliminary injunction  
3           of up to 32 pages.
- 4           ○ The Clerk of Court is directed to renote Plaintiffs’ class certification and  
5           preliminary injunction motion, Dkt. 164, for consideration on May 28, 2021.
- 6           ○ All other case deadlines remain unchanged.
- 7           ○ The newly-added IGT defendant may file a Rule 12(b)(6) motion as to the Second  
8           Amended Complaint. Neither International Game Technology nor DoubleDown  
9           shall file any other pleadings motions or arbitration-related motions as to the  
10          Second Amended Complaint. However:
- 11                 ▪ All Defendants state that they may file Rule 12(c) motions. Plaintiffs state  
12                 that any such motions would be unwarranted and improper.
- 13                 ▪ DoubleDown states that it may file motion(s) to compel Adrienne Benson  
14                 and/or Mary Simonson to arbitration based on deposition testimony that  
15                 DoubleDown contends constitutes actual notice of an agreement to  
16                 arbitrate. Plaintiffs state that any such motions would be untimely,  
17                 unwarranted, and improper.
- 18          ○ Defendants shall not seek any additional delay or stay of the current class  
19          certification and preliminary injunction briefing schedule, nor shall Defendants  
20          argue that Plaintiffs must file a renewed class certification and preliminary  
21          injunction motion in light of the filing of the Second Amended Complaint.

22 **IT IS SO ORDERED.**

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DATED this 26th day of April, 2021.

  
ROBERT S. LASNIK  
UNITED STATES DISTRICT JUDGE