

The Honorable Robert S. Lasnik

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

Northwest Administrators, Inc.,

Plaintiff,

vs.

The American Bottling Company, a Delaware
corporation, d/b/a Seven-Up Bottling Co. of
San Francisco,

Defendant.

Case No. 2:18-cv-00536-RSL

**THIRD STIPULATED MOTION FOR
EXTENSION OF TIME FOR
DEFENDANT THE AMERICAN
BOTTLING COMPANY TO RESPOND
TO PLAINTIFF'S COMPLAINT**

**NOTE ON MOTION CALENDAR:
MAY 30, 2018**

Plaintiff Northwest Administrators, Inc. ("Plaintiff") and The American Bottling Company ("ABC") through counsel and pursuant to Fed. R. Civ. P. 6(b), hereby move for an extension of time to respond to the Complaint filed by Plaintiff. In support of this Motion, Defendant states as follows:

1. Plaintiff filed their original Complaint ("Complaint") on or about April 11, 2017, in the United States District Court, Western District of Washington.

2. On or about April 18, 2018, Defendant ABC was served with Plaintiff's Complaint.

3. Defendant's response to the Complaint is due June 8, 2018.

4. On May 7, 2018 this Court granted the parties' first Stipulated Motion for

1 Extension of Time for Defendant The American Bottling Company to Respond to Plaintiff's
2 Complaint.

3 5. On May 25, 2018 the parties files a second Stipulated Motion for Extension of
4 Time for Defendant The American Bottling Company to Respond to Plaintiff's Complaint.

5 6. Defendant requires a brief extension of time, up to and including June 22, 2018,
6 to fully investigate and respond to the allegations in Plaintiff's Complaint.

7 7. This Motion is being made in good faith and for no improper purpose. Further,
8 the requested enlargement of time will not prejudice any of the parties or unduly delay the
9 proceedings.

10 8. Undersigned counsel has conferred with Plaintiff's counsel regarding this
11 requested extension and he has stipulated on behalf of his client to an extension through June 22,
12 2018.

13 **MEMORANDUM OF LAW**

14 Pursuant to Federal Rules of Civil Procedure, 6(b)(1)(A), "[w]hen an act may or must be
15 done within a specified time, the court may, for good cause, extend that time: (A) with or without
16 motion or notice if the court acts, or if a request is made, before the original time or its extension
17 expires...." The reason for the motion, as stated above, sets forth good cause for the
18 enlargement of time requested, and is being made before the originally prescribed period expires.

19 Therefore ABC respectfully suggests that good cause has been shown for an enlargement
20 of time – through June 22, 2018 – to respond to Plaintiff's Complaint. As Plaintiff's counsel
21 does not oppose the requested enlargement, there will be no undue delay or prejudice suffered by
22 granting the relief requested herein.

23 WHEREFORE, Defendant respectfully requests that the Court grant this Motion and
24 extend the deadline to file a response to Plaintiff's complaint until June 22, 2018.

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1 Dated: May 30, 2018.

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10 Attorneys for Defendant The American Bottling
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ORDER

IN CONFORMITY with the foregoing Stipulation, the deadline for Defendant's Answer to Plaintiff's Complaint is extended to June 22, 2018.

DATED this 31st day of May, 2018.



HONORABLE ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE