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THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITY OF ISSAQUAH, a municipal corporation,
Third-Party Defendant,
v.
ORA TALUS 90, LLC, a Delaware limited liability company; and RESMARK EQUITY PARTNERS, LLC, a Delaware limited liability company,
Defendant.

No. 18-cv-000910 RSM
STIPULATION AND ORDER RE-NOTING JR HAYES & ASSOC., INC.'s MOTION FOR SUMMARY JUDGMENT AGAINST ORA TALUS 90, LLC, RESMARK EQUITY PARTNERS, LLC AND TERRA TALUS, LLC

ORA TALUS 90, LLC, a Delaware limited liability company; and RESMARK EQUITY PARTNERS, LLC, a Delaware limited liability company,
Third-Party Plaintiffs,
v.
TERRA TALUS LLC, a Washington limited liability company; ELEMENT RESIDENTIAL INC., a Washington corporation; JOSHUA FREED, an individual; TERRA ASSOCIATES, INC., a Washington corporation; J.R. HAYES & SONS, INC., a Washington corporation; TALUS MANAGEMENT SERVICES LLC, a Washington limited liability company; and TALUS 7&8, LLC, a Washington limited liability company,
Third-Party Defendants.

STIPULATION AND ORDER- 1

1 **I. STIPULATION**

2 1. JR Hayes, Inc. timely filed a motion for summary judgment (“JR Hayes SJM”)
3 against ORA Talus 90, LLC, Resmark Equity Partners, LLC (hereinafter collectively ORA Talus)
4 and Terra Talus LLC.

5 2. The JR Hayes SJM is noted for June 25, 2021.

6 3. The parties stipulate and agree to request leave of the Court to renote the JR Hayes
7 SJM one week later, Friday, July 2, 2021, and to move the parties’ briefing dates to conform to the
8 new noting date.

9 4. The reasons for the request are that ORA Talus’s local counsel has had to travel out
10 of town due to a death in the family, and ORA Talus and JR Hayes are pursuing discussions
11 regarding the potential resolution of the summary judgment motion and/or the claims between
12 them.

13 5. A summary judgment motion brought by another party in the case is already noted
14 for July 2, 2021, and the one-week extension will not affect other dates in the Court’s pre-trial
15 order.

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17 THOMSEN, LLP

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19 permission

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STIPULATION AND [PROPOSED] ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT
HEARING DATE - 3

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8 Talus 7 & 8, LLC, and Talus Management Services LLC

9
10 **ORDER**

11 Based on the above stipulation of the parties, the Court grants the stipulated request to re-
12 note the JR Hayes summary judgment motion to July 2, 2021 and to adjust the parties' briefing
13 schedule according.

14 DATED this 21st day of June, 2021.

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17
18 RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

19
20 Presented by:

21 /s/ Patrick J. Mullaney

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STIPULATION AND [PROPOSED] ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT
HEARING DATE - 4