

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITY OF ISSAQUAH, a municipal
corporation,

Plaintiff,

v.

ORA TALUS 90, LLC, a Delaware limited
liability company; and RESMARK EQUITY
PARTNERS, LLC, a Delaware limited liability
company,

Defendants.

Case No.: 18-cv-00910 RSM

STIPULATION AND ORDER TO EXTEND
CERTAIN DEADLINES

AND RELATED COUNTERCLAIMS,
CROSSCLAIMS, AND THIRD-PARTY
CLAIMS

The parties respectfully submit this joint request for an Order to Extend Certain Deadlines pursuant to LCR 16(b)(6). Due the number of parties, the complexity of the facts and issues involved in the case, and the number of fact witness depositions that the parties anticipate completing (some of which are anticipated to require depositions being taken out of state), the parties will need additional time to complete both lay witness and expert discovery. The parties are cooperating in good faith to complete the anticipated discovery in a timely and efficient manner

and coordinating with each other to schedule the fact depositions to be completed on or before the date proposed below.

Given these circumstances, all parties seek extension of the following deadlines (Dkt. Nos. 84, 85):

Motions related to discovery filing deadline

Current deadline: January 16, 2020

Requested deadline: March 19, 2020

Lay discovery completed by

Current deadline: February 14, 2020

Requested deadline: April 14, 2020

Expert Disclosures pursuant to FRCP 26(a)(2)

Current deadline: March 27, 2020

Requested deadline: May 1, 2020

Service of Expert Rebuttal Reports pursuant to FRCP 26(a)(2)

Current deadline: April 28, 2020

Requested deadline: May 29, 2020

Commencement of expert depositions

Current deadline: May 26, 2020

Requested deadline: June 5, 2020

Expert discovery completed by

Current deadline: July 17, 2020

Requested deadline: July 22, 2020

All dispositive motions and motions challenging experts must be filed by

Current deadline: July 30, 2020

Requested deadline: August 7, 2020

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated this 16th day of January, 2020.

CAIRNCROSS & HEMPELMANN, P.S.

By: s/Terence J. Scanlan

By: s/Patricia A. Laughman

Terence J. Scanlan, WSBA #19498
Patricia A. Laughman, WSBA # 46716
524 Second Avenue, Suite 500
Seattle, WA 98104-2323
Telephone: 206-623-6501
Facsimile: 206-447-1973
Email: tscanlan@cairncross.com
Email: plaughman@cairncross.com

Attorneys for the City of Issaquah

BROWN WHITE & OSBORN LLP

By: s/Cynthia M. Cohen

Cynthia M. Cohen, Admitted Pro Hac
Vice
333 S. Hope Street, Suite 4000
Los Angeles, CA 90071
Tel: 213.613.0500
Fax: 213.613.0550
E-Mail: ccohen@brownwhitelaw.com

*Attorneys for ORA Talus 90, LLC and
Resmark Equity Partners, LLC*

FOSTER GARVEY PC

By: s/Jack P. Zahner

Jack P. Zahner, WSBA #24505
1111 Third Avenue, Suite 3000
Seattle, WA 98101
Telephone: 206-689-8500
Email: jack.zahner@foster.com

Attorneys for J.R. Hayes & Sons, Inc, Talus

KEATING, BUCKLIN & MCCORMACH,
INC., P.S.

By: s/Michael C. Walter

Michael C. Walter, WSBA #15044
801 Second Avenue, Suite 1210
Seattle, WA 98104
Telephone: 206-623-8861
Email: mwalter@kbmlawyers.com

Attorneys for the City of Issaquah

HARRIGAN LEYH FARMER & THOMSEN
LLP

By: s/Tyler L. Farmer

By: s/Kristin E. Ballinger

Tyler L. Farmer, WSBA #39912
Kristin E. Ballinger, WSBA #28253
999 Third Avenue, Suite 4400
Seattle, WA 98104
Telephone: (206) 623-1700
Fax: (206) 623-8717
Email: tylerf@harriganleyh.com
Email: kristinb@harriganleyh.com

*Attorneys for ORA Talus 90, LLC and Resmark
Equity Partners, LLC*

STOEL RIVES LLP

By: s/Patrick Mullaney

Patrick Mullaney, WSBA #21982
600 University Street, Suite 3600
Seattle, WA 98101
Telephone: (206) 624.0900
Fax: (206) 386.7500
Email: Patrick.mullaney@stoel.com

7 & 8, LLC, and Talus Management Services LLC

Attorneys for J.R. Hayes & Sons, Inc, Talus 7 & 8, LLC, and Talus Management Services LLC

PREG O'DONNELL & GILLET PLLC

By: s/John K. Butler

By: s/Stephanie Ballard

John K. Butler, WSBA #28528
Stephanie Ballard, WSBA #49268
901 5th Avenue, Suite 3400
Seattle WA 98164
Telephone: 206-287-1775
Email: jbutler@pregodonnell.com
Email: sballard@pregodonnell.com

Attorneys for J.R. Hayes & Sons, Inc.

WILLIAMS, KASTNER & GIBBS PLLC

CLEMENT & DROTZ, PLLC

By: s/Dean G. von Kallenbach

By: s/Theresa Rava

Dean G. von Kallenbach, WSBA #12870
Theresa Rava, WSBA #53159
601 Union Street, Suite 4100
Seattle, WA 98101-2380
Telephone: 206-628-6600
Fax: 206-628-6611
Email: dvonkallenbach@williamskastner.com
Email: trava@williamskastner.com

By: s/W. Scott Clement

By: s/Brent Hardy

W. Scott Clement, WSBA #16243
Brent Hardy, WSBA #45405
100 W. Harrison Street, Suite N350
Seattle, WA 98119
Telephone: 206-448-2565
Fax: 206-448-2235
Email: sclement@clementdrotz.com
Email: bhardy@clementdrotz.com

Attorneys for Joshua Freed

Attorneys for Element Residential Inc.,
Terra Talus, LLC and Joshua Freed

FORSBERG & UMLAUF, P.S.

WILSON SMITH COCHRAN DICKERSON

By: s/A. Grant Lingg

By: s/Vicky L. Strada

A. Grant Lingg, WSBA #24227
Vicky L. Strada, WSBA #34559
901 Fifth Avenue, Suite 1400
Telephone: 206-689-8500
Email: glingg@foum.law
Email: vstrada@foum.law

By: s/Whitney L.C. Smith

By: s/Gabriella Wagner

By: s/Brian Buron

Whitney L.C. Smith, WSBA #21159
Gabriella Wagner, WSBA #42898
Brian Buron, WSBA #27206
901 5th Ave., Suite 1700
Seattle, WA 98164-2050

Attorneys for Terra Associates, Inc.

Telephone: 206-623-4100
Fax: 206-623-9273
Email: smithw@wscd.com
Email: wagner@wscd.com
Email: buron@wscd.com

Attorneys Terra Talus, LLC

OLES MORRISON RINKER & BAKER
LLP

FLOYD PFLUEGER & RINGER, P.S.

By: *s/Bradley L. Powell*

Bradley L. Powell, WSBA #11158
701 Pike Street, Suite 1700
Seattle, WA 98101
Telephone: 206-623-3427
Email: powell@oles.com

By: *s/Douglas K. Weigel*

By: *s/Amanda D. Daylong*

Douglas K. Weigel, WSBA #27192
Amanda D. Daylong, WSBA #48013
200 W. Thomas Street, Suite 500
Seattle, WA 98119
Telephone: 206-441-4455
Email: dweigel@floyd-ringer.com
Email: adaylong@floyd-ringer.com

*Attorneys for Kulchin Foundation Drilling
Company*

Attorneys for Big Mountain Enterprises

PURSUANT TO STIPULATION, IT IS SO ORDERED this 17th day of January 2020.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

CAIRNCROSS & HEMPELMANN, P.S.

By: s/Terence J. Scanlan

By: s/Patricia A. Laughman

Terence J. Scanlan, WSBA #19498
Patricia A. Laughman, WSBA # 46716
524 Second Avenue, Suite 500
Seattle, WA 98104-2323
Telephone: 206-623-6501
Facsimile: 206-447-1973
Email: tscanlan@cairncross.com
Email: plaughman@cairncross.com

Attorneys for the City of Issaquah

BROWN WHITE & OSBORN LLP

By: s/Cynthia M. Cohen

Cynthia M. Cohen, Admitted Pro Hac
Vice
333 S. Hope Street, Suite 4000
Los Angeles, CA 90071
Tel: 213.613.0500
Fax: 213.613.0550
E-Mail: ccohen@brownwhitelaw.com

*Attorneys for ORA Talus 90, LLC and
Resmark Equity Partners, LLC*

FOSTER PEPPER PLLC

By: s/Jack P. Zahner

Jack P. Zahner, WSBA #24505
1111 Third Avenue, Suite 3000
Seattle, WA 98101
Telephone: 206-689-8500
Email: jack.zahner@fooster.com

*Attorneys for J.R. Hayes & Sons, Inc, Talus
7 & 8, LLC, and Talus Management*

KEATING, BUCKLIN & MCCORMACH,
INC., P.S.

By: s/Michael C. Walter

Michael C. Walter, WSBA #15044
801 Second Avenue, Suite 1210
Seattle, WA 98104
Telephone: 206-623-8861
Email: mwalter@kbmlawyers.com

Attorneys for the City of Issaquah

HARRIGAN LEYH FARMER & THOMSEN
LLP

By: s/Tyler L. Farmer

By: s/Kristin E. Ballinger

Tyler L. Farmer, WSBA #39912
Kristin E. Ballinger, WSBA #28253
999 Third Avenue, Suite 4400
Seattle, WA 98104
Telephone: (206) 623-1700
Fax: (206) 623-8717
Email: tylerf@harriganleyh.com
Email: kristinb@harriganleyh.com

*Attorneys for ORA Talus 90, LLC and Resmark
Equity Partners, LLC*

STOEL RIVES LLP

By: s/Patrick Mullaney

Patrick Mullaney, WSBA #21982
600 University Street, Suite 3600
Seattle, WA 98101
Telephone: (206) 624.0900
Fax: (206) 386.7500
Email: Patrick.mullaney@stoel.com

Attorneys for J.R. Hayes & Sons, Inc, Talus 7 &

Services LLC

8, LLC, and Talus Management Services LLC

PREG O'DONNELL & GILLET PLLC

By: *s/John K. Butler*

By: *s/Stephanie Ballard*

John K. Butler, WSBA #28528
Stephanie Ballard, WSBA #49268
901 5th Avenue, Suite 3400
Seattle WA 98164
Telephone: 206-287-1775
Email: jbutler@pregodonnell.com
Email: sballard@pregodonnell.com

Attorneys for J.R. Hayes & Sons, Inc.

WILLIAMS, KASTNER & GIBBS PLLC

CLEMENT & DROTZ, PLLC

By: *s/Dean G. von Kallenbach*

By: *s/Theresa Rava*

Dean G. von Kallenbach, WSBA
#12870
Theresa Rava, WSBA #53159
601 Union Street, Suite 4100
Seattle, WA 98101-2380
Telephone: 206-628-6600
Fax: 206-628-6611
Email: dvonkallenbach@williamskastner.com
Email: trava@williamskastner.com

By: *s/W. Scott Clement*

By: *s/Brent Hardy*

W. Scott Clement, WSBA #16243
Brent Hardy, WSBA #45405
100 W. Harrison Street, Suite N350
Seattle, WA 98119
Telephone: 206-448-2565
Fax: 206-448-2235
Email: sclement@clementdrotz.com
Email: bhardy@clementdrotz.com

Attorneys for Joshua Freed

*Attorneys for Element Residential Inc.,
Terra Talus, LLC and Joshua Freed*

FORSBERG & UMLAUF, P.S.

WILSON SMITH COCHRAN DICKERSON

By: *s/A. Grant Lingg*

By: *s/Vicky L. Strada*

A. Grant Lingg, WSBA #24227
Vicky L. Strada, WSBA #34559
901 Fifth Avenue, Suite 1400
Telephone: 206-689-8500
Email: glingg@foum.law
Email: vstrada@foum.law

By: *s/Whitney L.C. Smith*

By: *s/Gabriella Wagner*

By: *s/Brian Buron*

Whitney L.C. Smith, WSBA #21159
Gabriella Wagner, WSBA #42898
Brian Buron, WSBA #27206
901 5th Ave., Suite 1700
Seattle, WA 98164-2050

Attorneys for Terra Associates, Inc.

Telephone: 206-623-4100
Fax: 206-623-9273
Email: smithw@wscd.com
Email: wagner@wscd.com
Email: buron@wscd.com

Attorneys Terra Talus, LLC

OLES MORRISON RINKER & BAKER
LLP

FLOYD PFLUEGER & RINGER, P.S.

By: *s/Bradley L. Powell*

Bradley L. Powell, WSBA #11158
701 Pike Street, Suite 1700
Seattle, WA 98101
Telephone: 206-623-3427
Email: powell@oles.com

By: *s/Douglas K. Weigel*

By: *s/Amanda D. Daylong*

Douglas K. Weigel, WSBA #27192
Amanda D. Daylong, WSBA #48013
200 W. Thomas Street, Suite 500
Seattle, WA 98119
Telephone: 206-441-4455
Email: dweigel@floyd-ringer.com
Email: adaylong@floyd-ringer.com

*Attorneys for Kulchin Foundation Drilling
Company*

Attorneys for Big Mountain Enterprises