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Hon. Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ESTHER HOFFMAN; *et al.*,

Plaintiffs,

v.

TRANSWORLD SYSTEMS  
INCORPORATED; *et al.*,

Defendants.

No. 2:18 cv 1132-TSZ

STIPULATION AND ORDER  
EXTENDING RESPONSE TO THE  
COMPLAINT AND INITIAL  
DISCOVERY DATES

**I. STIPULATION**

In the Court’s Order on Defendants’ Motions to Dismiss (Dkt. 118) (the “Order”), this Court dismissed certain Defendants without prejudice and provided Plaintiffs thirty (30) days, to move to amend the pleadings. It could waste resources for the current Defendants to respond to the current Complaint, since Plaintiffs are considering filing a motion to amend the pleadings to add new defendants, so in the interests of judicial economy, the Parties stipulate as follows.

1. If Plaintiffs do not file a motion to amend the pleadings by February 3, 2021, then current Defendants will file a response to Plaintiffs’ Second Amended Complaint (Dkt. 61), by February 24, 2021.

2. If Plaintiffs do file a motion to amend the Pleadings by February 3, 2021, then current Defendants will file a response as follows:

STIPULATION AND ORDER EXTENDING  
RESPONSE TO THE COMPLAINT AND INITIAL  
DISCOVERY DATES - 1  
2:18 cv 1132-TSZ

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- a. Within 21 days of any Order by this Court denying a motion to amend the pleadings, or
- b. Within 21 days of the filing by Plaintiffs of any Third Amended Complaint, should Plaintiffs’ motion be granted.

3. The Parties also stipulate that any proposed amended complaint sought to be filed by Plaintiffs will be limited to naming as additional defendants any National Collegiate Student Loan Trust entities and adding facts to support the claims asserted against such entities, pursuant to the juridical link doctrine.

4. The Parties further stipulate that, if Plaintiff is permitted to file an amended pleading as outlined in paragraph 3 above, then any Fed. R. Civ. P. 12 motion to dismiss filed by any then-current Defendant(s) will address only whether the juridical link doctrine supports plausible claims for relief asserted against any National Collegiate Student Loan Trust entities added as defendants in the Third Amended Complaint.

5. The Parties further stipulate that the Parties may immediately propound written discovery pursuant to Fed. R. Civ. P. 26-37 to any current Party, and the normal rules of discovery will apply.

6. The Parties also agree to extend the initial discovery dates, based on the dates of filing of Answers by the Defendants.

- a. 7 days after filing - Rule 26(a) Initial Disclosures
- b. 14 days after filing - Rule 26(f) Conference
- c. 21 days after filing - Joint Status Report and Discovery Plan

Jointly submitted this 19th day of January, 2021.

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1 **II. ORDER**

2 THIS MATTER having come before the Court upon stipulation by the plaintiffs and the  
3 defendants, the Court having reviewed and considered the stipulation and all related pleadings  
4 and documents on file in this case, NOW THEREFORE, IT IS HEREBY, ORDERED:

5 1. If Plaintiffs do not file a motion to amend the pleadings by February 3, 2021,  
6 then current Defendants shall file a response to Plaintiffs' Second Amended Complaint, (Dkt.  
7 61), by February 24, 2021.

8 2. If Plaintiffs do file a motion to amend the Pleadings by February 3, 2021, then  
9 current Defendants will file a response as follows:

10 a. Within 21 days of any Order by this Court denying a motion to amend the  
11 pleadings, or

12 b. Within 21 days of the filing by Plaintiffs of any Third Amended Complaint,  
13 should Plaintiff's motion be granted.

14 3. Any proposed amended complaint sought to be filed by Plaintiffs shall be  
15 limited to naming as additional defendants any National Collegiate Student Loan Trust entities  
16 and adding facts to support the claims asserted against such entities, pursuant to the juridical  
17 link doctrine.

18 4. If Plaintiff is permitted to file an amended pleading as outlined in paragraph 3  
19 above, then any Fed. R. Civ. P. 12 motion to dismiss filed by any then-current Defendant(s)  
20 will address only whether the juridical link doctrine supports plausible claims for relief asserted  
21 against any National Collegiate Student Loan Trust entities added as defendants in the Third  
22 Amended Complaint.

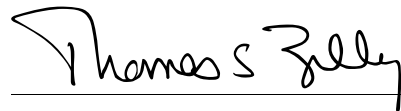
23 5. The Parties may immediately propound written discovery pursuant to Fed. R.  
24 Civ. P. 26-37 to any current Party, and the normal rules of discovery will apply.

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6. Initial discovery dates shall be extended and shall be based on the filing of Answers by the Defendants, as follows:

- a. 7 days after filing - Rule 26(a) Initial Disclosures
- b. 14 days after filing - Rule 26(f) Conference
- c. 21 days after filing - Joint Status Report and Discovery Plan

Dated this 22nd day of January 2021.



Thomas S. Zilly  
United States District Judge