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The Honorable Richard A. Jones
(On Reference to the Honorable S. Kate Vaughan)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRIS HUNICHEN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ATONOMI LLC, a Delaware LLC; CENTRI
TECHNOLOGY, INC., a Delaware
Corporation; LAUNCHCAPITAL, LLC, a
Delaware LLC; M37 VENTURES INC., a
Nevada Corporation; VAUGHAN EMERY;
DAVID FRAGALE; ROB STRICKLAND;
KYLE STRICKLAND; DON DELOACH;
WAYNE WISEHART; WOODY BENSON;
MICHAEL MACKKEY; JAMES SALTER;
and LUIS PARIS,

Defendants.

ATONOMI LLC; a Delaware LLC,

Counterclaimant,

v.

CHRIS HUNICHEN,

Counter-Defendant.

No. C19-0615-RAJ-SKV

STIPULATION AND [~~PROPOSED~~]
ORDER TO VACATE PRETRIAL
DEADLINES AS TO SETTLING
DEFENDANTS ONLY

NOTED FOR CONSIDERATION:
SEPTEMBER 3, 2021

STIPULATION AND [~~PROPOSED~~] ORDER TO VACATE
PRETRIAL DEADLINES AS TO SETTLING DEFENDANTS
(C19-0615-RAJ-SKV)

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1 ATONOMI LLC; a Delaware LLC,
2
3 Third Party Plaintiff,
4 v.
5 DAVID PATRICK PETERS; SEAN
6 GETZWILLER; DAVID CUTLER;
7 CHANCE KORNUTH; and DENNIS
8 SAMUEL BLIEDEN,
9
10 Counter-Defendants.

11 **STIPULATION**

12 Plaintiff Chris Hunichen and Defendants LaunchCapital LLC, Woody Benson, and David
13 Fragale (“Settling Defendants”) stipulate as follows:

14 Certain deadlines are approaching under the Order Granting Defendants LaunchCapital
15 LLC and M37 Ventures Inc.’s Motion to Modify Scheduling Order (the “Case Scheduling
16 Order” Dkt. # 169), including deadlines to file discovery motions, to serve opening and rebuttal
17 expert reports, to conclude discovery, and to file dispositive motions.

18 Plaintiff and the Settling Defendants entered into the Stipulation of Class Action
19 Settlement and Release (the “Settlement”), presented as Exhibit A to the Declaration of Angus
20 Ni (Dkt. # 206). Pursuant to the Settlement, Plaintiff filed a Motion for Preliminary Approval of
21 Partial Class-Wide Settlement (“Preliminary Approval Motion” Dkt. # 205), which is pending
22 before the Court.

23 The parties to the Settlement have agreed not to pursue discovery or any other actions
24 against each other while seeking approval of the Settlement. The preliminary approval order, if
25 signed, will affirm paragraph 88 of the Settlement, thereby staying all proceedings herein against
26 the Settling Defendants pending entry of an order finally approving the Settlement.

27 The parties to the Settlement therefore stipulate that the remaining deadlines in the Case
Scheduling Order should be vacated with respect to the Settling Defendants only, pending the
Court’s decision on the Preliminary Approval Motion.

DATED: September 3, 2021

STIPULATION AND [~~PROPOSED~~] ORDER TO VACATE
PRETRIAL DEADLINES AS TO SETTLING DEFENDANTS
(C19-0615-RAJ-SKV) - 1

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Attorneys for Defendant David Fragale

ORDER

1 Pursuant to the above Stipulation, it is hereby ordered that the remaining deadlines in the
2 Case Scheduling Order are vacated as to the Settling Defendants only.
3

4 ENTERED this 7th day of September, 2021.

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7 S. KATE VAUGHAN
8 United States Magistrate Judge
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