

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WADE K. MARLER, DDS, *et al.*,

NO. 2:20-cv-00616-BJR

Plaintiffs,

v.

ASPEN AMERICAN INSURANCE
COMPANY,

Defendant.

KARA MCCULLOCH DMD MSD PLLC, *et al.*,

NO. 2:20-cv-00809-BJR

Plaintiffs,

v.

VALLEY FORGE INSURANCE
COMPANY, *et al.*,

Defendants.

CABALLERO,

NO. 3:20-cv-05437-BJR

Plaintiff,

v.

MASSACHUSETTS BAY INSURANCE
COMPANY,

Defendant.

STIPULATION AND PROPOSED ORDER ALLOWING
PLAINTIFFS TO FILE A SINGLE OMNIBUS OPPOSITION BRIEF
(Case Nos. 2:20-cv-00616-BJR; 2:20-cv-00809-BJR; 3:20-cv-05437-
BJR; 2:20-cv-00627-BJR; 2:20-cv-00620-BJR; 2:20-cv-00597-BJR;
2:20-cv-01176-BJR) - 1

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1 CHORAK, *et al.*,

2 Plaintiffs,

3 v.

4 HARTFORD CASUALTY INSURANCE
5 COMPANY, *et al.*,

6 Defendants.

NO. 2:20-CV-00627-BJR

7
8 PACIFIC ENDODONTICS, P.C., *et al.*,

9 Plaintiffs,

10 v.

11 OHIO CASUALTY INSURANCE
12 COMPANY, *et al.*,

13 Defendants.

NO. 2:20-CV-00620-BJR

14 NGUYEN, *et al.*,

15 Plaintiffs,

16 v.

17 TRAVELERS CASUALTY INSURANCE
18 COMPANY OF AMERICA, *et al.*,

19 Defendants.

NO. 2:20-cv-00597-BJR

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1 LA COCINA DE OAXACA LLC,

NO. 2:20-CV-01176-BJR

2 Plaintiff,

3 v.

4 TRI-STATE INSURANCE COMPANY OF
5 MINNESOTA,

6 Defendant.
7

8 **STIPULATION**

9 1. Pursuant to this Court’s Minute Order dated November 24, 2020 (the “Scheduling
10 Order”), the seven sets of Insurer-Family Defendants in the above-captioned actions each
11 responded to Plaintiffs’ complaints by filing a motion to dismiss under Fed. R. Civ. P. 12 (the
12 “Rule 12 Motions”) on January 15, 2021.
13

14 2. The Scheduling Order applied LCR 7(e)(3), limiting each Defendant’s motion to
15 24 pages. Collectively, Defendants’ Rule 12 Motions used 147 pages, which was 21 fewer pages
16 than the 168 pages they were allotted by the Scheduling Order.

17 3. Plaintiffs’ oppositions to the Rule 12 Motions are due on February 12, 2021.

18 4. The Scheduling Order similarly provides Plaintiffs with 24 pages for each of their
19 oppositions to the Rule 12 motions, for a total of up to 168 pages.
20

21 5. Having reviewed Defendants’ Rule 12 Motions, Plaintiffs believe that it will be
22 most efficient for the parties and the Court if they respond to the Rule 12 Motions by filing a
23 single omnibus opposition brief in response. Plaintiffs will limit their omnibus opposition brief
24 to 95 pages, clearly noting which portions of the briefs they are responding to.
25

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1 6. Defendants do not oppose Plaintiffs' request to respond to the Rule 12 Motions by
2 a single omnibus opposition brief that is limited to 95 pages.

3 **Now, therefore,** the Plaintiffs' request, which Defendants do not oppose, to file an
4 omnibus opposition brief limited to 95 pages should be granted.

5 **ORDER**

6
7 Having reviewed the parties' stipulation, and finding that good cause exists for the
8 requested relief from LCR 7(e)(3), the Court hereby GRANTS the stipulation.

9 IT IS ORDERED that Plaintiffs may file a single omnibus opposition brief limited to 95
10 pages in response to Defendants' Rule 12 Motions.

11 DATED this 28th day of January, 2021.

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13 

14
15

Barbara J. Rothstein
UNITED STATES DISTRICT JUDGE

16 Presented By:

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