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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 SARAH MYTIER,

9 Plaintiff,

10 v.

11 HORACE MANN INSURANCE CO.,

12 Defendant.

CASE NO. 2:20-cv-01492-JHC

ORDER


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14 This matter comes before the Court on Plaintiff's Motion for Relief from Deadline, to  
15 Continue Trial or in the Alternative to Dismiss All Claims Without Prejudice. Dkt. # 29. The  
16 Court has reviewed the materials filed in support of, and in opposition to, the motion.

17 This case concerns an underinsured motorist claim. Plaintiff says the collision at issue  
18 took place over four and a half years ago, in December 2017. *Id.* at 2. This litigation has been  
19 pending since September 2020. By the time of the trial date, September 26, 2022, the case will  
20 be over two years old. In support of the continuance request, Plaintiff says she needs additional  
21 treatment. She does not submit the declaration of any health care professional. Her declaration  
22 contains a series of factual assertions that omit dates. Dkt. # 31 at 2. Nor does she cite any legal  
23 authority to support the proposition that the circumstances she presents amounts to just cause for  
24

1 a continuance. Accordingly, the Court DENIES Plaintiff's motion for a continuance. And  
2 because Defendant does not show that it would suffer the requisite prejudice from dismissal, the  
3 Court GRANTS Plaintiff's motion to dismiss, and DISMISSES this matter without prejudice.  
4 The Court DENIES Defendant's request for an award of legal expenses; but denial is without  
5 prejudice to any request for such an award in future litigation.

6 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
7 to any party appearing pro se at said party's last known address.

8 Dated this 29th day of July, 2022.

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10 John H. Chun  
11 John H. Chun  
12 United States District Judge  
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