

The Honorable Ricardo S. Martinez

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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

9 T-MOBILE US, INC.,

10 Plaintiff,

11 v.

12 SIMPLY WIRELESS, INC.,

13 Defendant.
14

Case No. 2:21-cv-00525

**STIPULATION TO EXTEND TIME TO
RESPOND TO THE MOTION TO
DISMISS AND ORDER**

Noted for: July 16, 2021

15 Plaintiff, T-Mobile US, Inc. (“T-Mobile”), and Defendant, Simply Wireless, Inc. (“Simply
16 Wireless”), enter into the following stipulation to extend the time to August 2, 2021 for T-Mobile
17 to respond to Motion to Dismiss.

18 On April 19, 2021, T-Mobile filed a civil action in the United District Court for the Western
19 District of Washington (Dkt. No. 1).

20 On June 29, 2021, Simply Wireless filed a Motion to Dismiss (Dkt. No. 13).

21 T-Mobile’s current deadline to file a responsive pleading is July 19, 2021, with a “noting
22 date” of July 23, 2021.

23 On July 11, 2021, counsel for T-Mobile contacted Simply Wireless’s counsel regarding a
24 request for extension of time to file a responsive pleading. T-Mobile needs additional time because
25 the Motion was filed just before the July fourth holiday and both in-house and outside counsel
26 have been unavailable due to holiday travels. Additionally, lead counsel for T-Mobile has been

STIPULATION TO EXTEND TIME AND
ORDER - 1
(CASE NO. 2:21-CV-00525)

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1 consumed with briefing for a matter pending before the Kansas Supreme Court that was submitted
2 last week. Therefore, counsel has not been able to complete the Response to Simply Wireless's
3 Motion and good cause exists to grant this brief extension.

4 Simply Wireless's counsel agreed to an extension of time to file a responsive pleading and
5 the parties hereby agree to an extension to August 2, 2021 for T-Mobile to file a response to the
6 Motion to Dismiss. In turn, counsel for Simply Wireless will be on vacation with family the week
7 of August 2, 2021, such that to avoid a likely request for further extensions, the parties have agreed
8 to August 13, 2021 as the due date for any reply brief and the new "noting date."

9 SO STIPULATED.

10 DATED this 16th day of July 2021.

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24 *Attorneys for Defendant Simply Wireless, Inc.*

ORDER

The stipulation to extend the time to August 2, 2021 for T-Mobile to respond to Simply Wireless’s Motion to Dismiss, and to August 13, 2021 as the new “noting date,” is hereby GRANTED.

IT IS HEREBY ORDERED that the deadline for T-Mobile to file a response to Simply Wireless’s Motion to Dismiss is extended from July 19, 2021 to August 2, 2021 and the deadline for Simply Wireless to file a reply brief is extend to August 13, 2021.

DATED this 21st day of July, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by

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CERTIFICATE OF SERVICE

The undersigned certifies that on July 16, 2021, I caused to be served via the CM/ECF system a true and correct copy of the foregoing document and that service of this document was accomplished on all parties in the case by the CM/ECF system.

/s/ Jessica M. Andrade
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