

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALEXANDRIA NICHOLAS, individually and on behalf of all others similarly situated,

Plaintiff(s),

V.

AMAZON.COM INC,

Defendant(s).

CASE NO. 2:22-cv-01616-TL

MINUTE ORDER

The following Minute Order is made at the direction of the Court, the Honorable Tana Lin, United States District Judge:

(1) This case was removed to this District and assigned to this Court on November 10, 2022, Dkt. No. 15.

(2) The Parties filed a stipulated notice extending the deadline for Defendant Amazon.com, Inc.’s motion to dismiss and related briefing deadlines. Dkt. No. 21. Specifically, the Parties stipulated to a November 14, 2022, deadline for Defendant’s

1 motion to dismiss, a December 5 deadline for Plaintiff's opposition, and a December
2 19 deadline for Defendant's reply. *Id.*

3 (3) Defendant filed a motion to dismiss on November 14 and set the noting date to
4 December 23, 2022, four days after the stipulated deadline for Defendant's reply.
5 Dkt. No. 22.

6 (4) Local Civil Rule ("LCR") 10(g) provides that "[s]tipulations and stipulated motions
7 shall be binding on the court only if adopted by the court through an order."

8 (5) LCR 7(b)(1) explains that "[t]he noting date is the date by which all briefing is
9 complete and the matter is ready for the court's consideration . . ." Therefore, the
10 noting date is ordinarily the day on which the reply brief is due.

11 (6) LCR 7(d)(3) provides that "[m]otions to dismiss . . . shall be noted for consideration
12 on a date no earlier than the fourth Friday after filing and service of the motion."
13 However, a moving party may renote its pending motion before an opposition is filed.
14 *See LCR 7(l).*

15 (7) The Parties' stipulated notice and the noting date for Defendant's motion to dismiss
16 do not comply with the local rules of this District. Ordinarily, the Parties' stipulated
17 deadline for Defendant's motion to dismiss would not be binding, absent court order,
18 and Defendant's motion to dismiss would be noted for December 9, 2022. *See LCR*
19 7(d)(3), 10(g). It is also unclear why the Parties stipulated to a noting date that is
20 several days past the stipulated date by which briefing on the motion to dismiss would
21 be complete.

22 (8) In the interests of an orderly and efficient adjudication of this matter, the Court adopts
23 the Parties' stipulated deadlines. The Parties are cautioned to review and abide by the
24 local rules, as well as this Court's own procedures, in future proceedings.

(9) Accordingly, it is hereby ORDERED:

(a) The Parties' stipulated notice extending certain deadlines (Dkt. No. 21) is so ORDERED.

(b) Defendant's motion to dismiss (Dkt. No. 22) is considered timely and shall be RE-
NOTED for December 19, 2022.

Dated this 17th day of November 2022.

Ravi Subramanian
Clerk of the Court

s/ Kadya Peter
Deputy Clerk