

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

INITIATIVE MERCHANT SOLUTIONS, LLC,  
a California limited liability company,

Plaintiff,

v.

POSaBIT US, INC., f/k/a POSaBIT, INC., a  
Washington corporation,

Defendant.

No. C22-01724-KKE

STIPULATED MOTION AND  
ORDER VACATING TRIAL  
DATE AND RELATED  
DEADLINES

NOTED FOR CONSIDERATION:  
May 30, 2024

**STIPULATION**

Pursuant to LCR 10(g), the parties to the above-captioned matter hereby jointly stipulate and respectfully request that the Court reset the trial date and related pre-trial deadlines. Since the May 1, 2024 hearing on Plaintiffs' Motion to Amend the Complaint and Reopen Discovery, the parties have engaged in good faith negotiations to adjust the trial date and pre-trial schedule as directed by the Court. *See* Dkt. 46. While negotiating the dates for the adjusted pre-trial schedule, the Parties agreed to a further continuance of the trial date for two reasons.

First, over the course of negotiating the adjusted pre-trial schedule, it became apparent that the current August 12 trial date and pre-trial schedule was not feasible for Defendant due to scheduling conflicts with a state court case set for trial starting June 24 and running through mid-July due to the state court's scheduling conflicts and lead counsel's pre-scheduled vacation out of

1 country at the end of July. Because the length of Counsel’s other trial, the Parties were unable to  
2 agree to a reasonable pre-trial schedule amendable to both Parties that did not considerably overlap  
3 with the other trial dates. Accordingly, a further continuance is necessary to avoid this scheduling  
4 conflict and provide the Parties with sufficient time to prepare for trial and comply with all of pre-  
5 trial deadlines.

6 Second, the parties have agreed to a mediation in attempt to settle the case and avoid trial  
7 all together. The parties agree to further continue the trial date and all related pre-trial deadlines.  
8 The parties are in the process of agreeing to a mediator and intend to mediate in July or August.  
9 Given previous productive settlement discussions, the Parties are hopeful that they can resolve this  
10 case at mediation. A further continuance of the trial date and pre-trial schedule are necessary to  
11 provide the parties with sufficient time to prepare for a successful mediation and avoid expending  
12 resources preparing for a trial that may ultimately be unnecessary to resolve the case.

13 In light of these two developments, the parties request the Court vacate the current trial  
14 date and related deadlines and provide available trial dates in October and November 2024.

15 Dated: May 30, 2024

Dated: May 30, 2024

16 Respectfully submitted,

Respectfully submitted,

17 CAMPBELL & BISSELL, PLLC

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23 Attorneys for Plaintiff

Attorneys for Defendants

1 **ORDER**

2 Pursuant to the stipulation, and finding good cause, the Court STRIKES the trial date and  
3 other upcoming deadlines. The Parties are ORDERED to contact Courtroom Deputy Diyana  
4 Staples at diyana\_staples@wawd.uscourts.gov to reschedule the trial date.

5 Dated this 4th day of June, 2024.

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Kimberly K. Evanson  
9 United States District Judge