

Hon. James L. Robart

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

615 SW AMBAUM CONDO
ASSOCIATION,

Plaintiff,

v.

ASPEN SPECIALTY INSURANCE
COMPANY,

Defendant.

NO. 2:23-cv-00571-JLR

STATUS REPORT AND THIRD
STIPULATED MOTION AND
[PROPOSED] ORDER TO STAY

NOTED ON MOTION CALENDAR:
MAY 10, 2024

STIPULATION

Plaintiff 615 SW Ambaum Condo Association (“Ambaum”) and Defendant Aspen Specialty Insurance Company (“Aspen”), stipulate and agree as follows:

1. Ambaum is the association of owners who own condominiums in a building located at 615 SW Ambaum Boulevard, Burien, King County, Washington (“Condo”).
2. This is an insurance coverage lawsuit arising from a March 13, 2021 fire at the Condo.
3. Aspen provided property insurance coverage to Ambaum for the March 13, 2021 fire.

STATUS REPORT AND THIRD STIPULATED
MOTION AND [PROPOSED] ORDER TO STAY- 1
NO. 2:23-CV-00571-JLR

GORDON	600 University Street
TILDEN	Suite 2915
THOMAS	Seattle, WA 98101
CORDELL	206.467.6477

- 1 4. Ambaum filed a Complaint in King County Superior Court against Aspen seeking
2 additional payment under the Aspen policy resulting from the fire.
3
- 4 5. Aspen timely removed this lawsuit to federal court.
5
- 6 6. Ambaum filed suit solely to preserve its rights under the Aspen insurance policy,
7 which contains a provision stating that suit must be filed within two years after the
8 date of loss.
9
- 10 7. Ambaum filed suit before the repairs to the Condo were complete solely to avoid
11 waiving rights against Aspen.
12
- 13 8. As a result, Ambaum's insurance claim remains pending and is still being adjusted,
14 and this case is not ripe for final resolution.
15
- 16 9. Ambaum still has not yet been able to move forward with sale or replacement of the
17 property due to continued delays beyond its control caused by the death of one of the
18 unit owners, foreclosure related to another unit, and the notice it must provide (and
19 consent it must receive) from unit owners before making and acting on decisions
20 related to the Condo.
21
- 22 10. Ambaum's inability to move forward with sale or replacement of the property as
23 described above has delayed the parties' ability to move forward with adjusting
24 Ambaum's insurance claims.
25
- 26 11. Ambaum and Aspen ask the Court to stay this matter for an additional nine months,
27 until February 10, 2025, to allow Ambaum additional time to move forward with sale
28 or replacement of the property.
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- 30 12. If the Court enters the requested stay, Ambaum and Aspen stipulate that they will not
31 take any action related to this lawsuit without Court approval until February 10, 2025,
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1 at which time they will (1) advise the Court that this case is ripe for resolution and/or
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3 litigation or (2) request a continuance of the stay.
4

5 13. Either party may ask the Court to terminate this stay upon 30 days' written notice to
6
7 the other party.
8
9

10 DATED this 10th day of May, 2024.
11

12 **GORDON TILDEN THOMAS & CORDELL LLP**
13 Attorneys for Plaintiff

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16 600 University Street, Suite 2915
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19 khuebner@gordontilden.com
20

21 DATED this 10th day of May, 2024.
22

23 **PREG O'DONNELL & GILLET PLLC**
24 Attorneys for Defendant

25 By s/ Justin E. Bolster

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1 DATED this 10th day of May, 2024.
2

3 **LOBMAN, CARNAHAN, BATT, ANGELLE &**
4 **NADER**
5 Attorneys for Defendant
6

7 By s/ Charles R. Rumbley

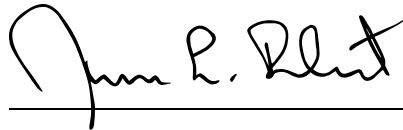
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19

20 **[PROPOSED] ORDER**
21

22 This matter is stayed until February 10, 2025. On or before February 10, 2025, the
23 parties will (1) advise the Court that this case is ripe for resolution and/or litigation or (2) request
24 a continuance of the stay for good cause.
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28 Either party may ask the Court to terminate this stay upon 30 days' written notice to the
29 other party.
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34 DATED this 10th day of May, 2024.
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40 The Honorable James L. Robart
41 U.S. District Court Judge
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