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THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DIANE SIMKINS, decedent, by her personal representative, Kristi Simkins; KRISTI SIMKINS and PATRIC ROGERS; and CHRISTER PERSSON,

Plaintiffs,

v.

NEW YORK LIFE INSURANCE COMPANY; and ILLUMIFIN CORPORATION, a foreign profit corporation,

Defendants.

No. 2:23-CV-00578 JNW

~~PROPOSED~~ ORDER GRANTING STIPULATED MOTION TO VACATE AND RESET TRIAL AND TO EXTEND DEADLINES AND AMEND SCHEDULING ORDER

FIRST AMENDED SCHEDULING DATES

Having reviewed the parties' Stipulated Motion to Vacate and Reset Trial and Extend Deadlines and Amended Scheduling Order, the Court hereby GRANTS the Motion, and sets the following amended trial and related dates:

EVENT	DATE
JURY TRIAL begins	December 9, 2024
Length of trial	See JSR
Deadline for joining additional parties	September 12, 2023

~~PROPOSED~~ ORDER GRANTING STIPULATED MOTION TO VACATE AND RESET TRIAL AND TO EXTEND DEADLINES AND AMEND SCHEDULING ORDER

EVENT	DATE
Deadline for amended pleadings	May 13, 2024
Disclosure of expert testimony under Fed.R.Civ.P. 26(a)(2)	May 13, 2024
Disclosure of rebuttal expert testimony under Fed.R.Civ.P. 26(a)(2)	within 30 days after the other party's expert disclosure
All motions related to discovery must be filed by (see LCR 7(d))	June 11, 2024
Discovery completed by	July 11, 2024
All dispositive motions and motions challenging expert witness testimony must be filed by (see LCR 7(d))	August 12, 2024
Settlement conference under LCR 39.1(c)(2) if requested by the parties , <u>must be held</u> not later than October 9, 2024	
All motions in limine must be filed by (see LCR 7(d))	October 29, 2024
Deposition Designations must be submitted to the Court by (see LCR 32(e))	November 18, 2024
Agreed pretrial order due	November 18, 2024
Trial briefs, proposed voir dire questions and proposed jury instructions must be filed by	November 25, 2024
Pretrial conference	December 2, 2024

The Local Civil Rules set all other dates. The dates listed in this order and set by the Local Civil Rules are firm and cannot be changed by agreement between the parties. Only the Court may alter these dates and it will do so only if good cause is shown. Failure to complete discovery within the time allowed does not establish good cause. If any of the dates identified

1 in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event
2 must be performed on the next business day.

3 If the scheduled trial date creates an irreconcilable conflict, counsel must email Grant
4 Cogswell, Courtroom Deputy, at grant_cogswell@wawd.uscourts.gov within 10 days of the
5 date of this Order, explaining the exact nature of the conflict. Failure to do so will be deemed
6 a waiver. Counsel must be prepared to begin trial on the date scheduled but should understand
7 that trial may have to await the completion of other cases.
8

9 **COOPERATION**

10 As required by LCR 37(a), all discovery matters should be resolved by agreement if
11 possible. Counsel are also directed to cooperate in preparing the final pretrial order in the
12 format required by LCR 16.1, except as ordered below.
13

14 **EXHIBITS**

15 The parties must deliver one copy of their respective trial exhibits to Grant Cogswell,
16 Courtroom Deputy, five (5) days before the trial date. Each exhibit must be clearly marked on
17 the face of the exhibit. Each set of exhibits must be submitted in a three-ring binder with
18 appropriately numbered tabs. The Court alters the LCR 16.1 procedure for numbering exhibits
19 as follows: Plaintiff's exhibits should be numbered consecutively beginning with 1;
20 Defendant's exhibits should include the prefix "A" and should be numbered consecutively
21 beginning with A-1. Duplicate documents should not be listed twice. Once a party has
22 identified an exhibit in the pretrial order, any party may use it.
23

24 In addition, no later than seven (7) days before the trial date, the parties should send an
25 electronic copy of all exhibits in .PDF format with Optical Character Recognition ("OCR")
26

1 searchable text to Grant Cogswell, Courtroom Deputy. The parties should notify the court of
2 any physical objects or files that cannot be transmitted electronically. Exhibits must be
3 marked as described above, and the following protocols also apply: (1) Electronic exhibits
4 must be transmitted individually (i.e., one exhibit per file), but exhibits may have multiple
5 pages; (2) Exhibit file names should match the descriptions listed on the joint exhibit list as
6 closely as possible except that file names should not exceed 80 characters, e.g., Ex. 1 –
7 Accident Scene Photo; Ex. A-1 – Email dated 4-03-23.

9 **SETTLEMENT**

10 If this case settles, counsel must notify Grant Cogswell, Courtroom Deputy, as soon as
11 possible at grant_cogswell@wawd.uscourts.gov. An attorney who fails to give the courtroom
12 deputy prompt notice of settlement may be subject to sanctions or discipline under LCR
13 11(b).
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22 *Counsel for New York Life Insurance Co.*

23 Dated this 5th of February 2024.

24 

25 Jamal N. Whitehead

26 United States District Judge