

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CEMCO, LLC,

11 Plaintiff,

12 v.

13 KPSI INNOVATIONS, INC., et al.,

14 Defendants.

CASE NO. 23-0918JLR

MINUTE ORDER

15 The following minute order is made by the direction of the court, the Honorable
16 James L. Robart:

17 During the June 4, 2024 hearing, the court discussed Plaintiff CEMCO LLC's
18 ("CEMCO") motion to compel (MTC (Dkt. # 84)) and the parties' stipulated motion to
19 amend the scheduling order (Stip. Mot. (Dkt. # 97)). In light of assurances from counsel
20 for Defendants KPSI Innovations, Inc. ("KPSI"), Serina Klein, James A. Klein, and
21 Kevin Klein (collectively, "Defendants"), the court DENIES both motions (Dkt. ## 84,

22 //

1 97) as moot. A new scheduling order will follow, setting forth a December 3, 2024 trial
2 date.

3 Defendants are ORDERED to produce all responsive documents and supplement
4 their interrogatory responses by June 14, 2024. Defendants' failure to do so will result in
5 severe sanctions, which may include monetary sanctions, adverse inference instructions,
6 and case-dispositive sanctions against Defendants and/or their counsel. To be clear:

7 Defendants are to produce every single email and text message James Klein and any other
8 Defendant have sent to any of KPSI's actual or potential customers. Defendants and their
9 counsel risk inviting the ire of the court if CEMCO identifies even a single email or text
10 message through third-party discovery that Defendants sent to one of KPSI's customers
11 and failed to produce. The court also notes that Defendants' present interrogatory
12 responses are extraordinarily deficient. Boilerplate objections and dodgy answers will not
13 suffice; CEMCO is entitled to good faith responses to its interrogatories, including, but
14 not limited to, the identities of KPSI's customers, information about each project for
15 which KPSI has supplied products, the truth about the extent of James Klein's role at
16 KPSI (including his pay as a consultant, the work he performs, the customers he interacts
17 with, and all customer sites to which he has traveled), the quantity of intumescent tape
18 KPSI has sold, and the quantity, components, and location of inventory KPSI received
19 from Seal4Safti, Inc.

20 //

21 //

22 //

1 CEMCO, Defendants, and all counsel of record are hereby warned that failure to
2 comply with the Federal Rules of Civil Procedure, this District's local rules, or any court
3 order will result in sanctions.

4 Filed and entered this 4th day of June, 2024.

5 RAVI SUBRAMANIAN
6 Clerk of Court

7 s/ Ashleigh Drecktrah
8 Deputy Clerk
9
10
11
12
13
14
15
16
17
18
19
20
21
22