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THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTTSDALE INSURANCE
COMPANY,

Plaintiff,

v.

THERAPEUTIC HEALTH
SERVICES,

Defendant.

Case No. 2:24-cv-01518-MJP

**STIPULATED MOTION TO EXTEND STAY
OF PROCEEDINGS DUE TO MEDIATION
AND**

~~**PROPOSED**~~ **ORDER**

**NOTE ON MOTION CALENDAR:
March 11, 2025.**

I. STIPULATION

Plaintiff Scottsdale Insurance Company (“Plaintiff”) and Defendant Therapeutic Health Services (“THS”), through their respective counsel, submit this Stipulated Motion and [Proposed] Order to extend the Court’s previous stay of proceedings in this action [ECF. No. 16] from March 18, 2025, to April 25, 2025. The Parties ask that the existing stay be extended for one month to accommodate a mediation that has been scheduled for March 26, 2025, with The Honorable John W. Thornton (ret.) of JAMS.

Plaintiff filed this lawsuit seeking a declaration that it has no coverage or defense obligations under the policy issued to THS with respect to four underlying lawsuits filed in King County Superior Court (“Underlying Lawsuits”). Plaintiffs in the Underlying Lawsuits allege that

1 THS failed to adequately safeguard its security systems, resulting in a data breach that exposed the
2 private and confidential information of an alleged class of affected individuals.

3 THS and the plaintiffs in the Underlying Lawsuits have been negotiating toward a potential
4 settlement. In furtherance of those discussions, Plaintiff and THS stipulated to a 90-day stay of the
5 case until March 18, 2025, which this Court granted. ECF No. 16. THS and the plaintiffs in the
6 Underlying Lawsuits, along with Plaintiff, have agreed to mediate the case with the Honorable
7 John W. Thornton (ret.) of JAMS on March 26, 2025. The various parties who need to be present
8 if the mediation is to succeed could not all accommodate a mediation date that would fall within
9 the existing stay of proceedings. Extending the stay for an additional month serves the same
10 purposes that supported issuance of a stay, without unduly delaying resolution of this case if
11 mediation is unsuccessful. *See In re Zillow Grp., Inc. Session Replay Software Litig.*, No. 2024
12 WL 69732, *2 (W.D. Wash. Jan. 5, 2024) (quoting *Landis v. North American Co.*, 299 U.S. 248,
13 254 (1936) (“The power to stay is ‘incidental to the power inherent in every court to control the
14 disposition of the causes on its docket with economy of time and effort for itself, for counsel, and
15 for litigants.’”)).

16 In light of the foregoing, IT IS HEREBY STIPULATED AND AGREED by and between
17 counsel for Plaintiff and THS that the stay in this action should be extended from March 18, 2025,
18 to April 25, 2025.

19 II. ORDER

20 Pursuant to the parties’ stipulation, it is so ordered. The stay of this action and all litigation
21 deadlines in the current Case Schedule is EXTENDED until April 25, 2025. The parties shall file
22 a joint status report with the Court no later than May 2, 2025. If any resolution of the Underlying
23 Lawsuits is finalized and impacts the progress of the current case, or if efforts to resolve the
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2 remaining claims are unsuccessful, the parties shall include in their joint status the normal
3 information submitted pursuant to FRCP 26(f) and LCR 26(f) regarding scheduling.

4 **IT IS SO ORDERED.**

5 DATED: March 12, 2025.

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9 THE HONORABLE MARSHA J. PECHMAN
10 United States District Judge

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12 DATED: March 11, 2025

STIPULATED TO AND PRESENTED BY:

13 **K&L GATES LLP**

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20 I certify that this memorandum contains 480 words
21 in compliance with the Local Civil Rules.

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