

Hon. J. Kelley Arnold

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

DUANE BOYLE, through his guardians Marion
and Robert Boyle, *et al.*,

No. C-01-5687 JKA

Plaintiffs,

ORDER ON PLAINTIFFS' MOTION FOR
DISCOVERY AND
AGREED SCHEDULING ORDER

vs.

ROBIN ARNOLD-WILLIAMS, in her official
capacity as the Secretary of the Washington
Department of Social and Health Services,

Defendant.

The court heard argument on May 21, 2012 on Plaintiffs' motion for discovery. The Court granted Plaintiffs' request to conduct the seven depositions listed in their motion, and directed the parties to discuss a schedule related to Plaintiffs' intended motion for contempt. The parties have conferred and now propose the following Agreed Scheduling Order for purposes of hearing Plaintiffs' motion for contempt. Having considered the proposed order, the Court hereby GRANTS the Agreed Scheduling Order.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendants will make the seven Department employees Plaintiffs identified as deposition witnesses available for Plaintiffs to take their depositions at a time and location mutually agreeable to the parties.

1 2. Plaintiffs Motion for Contempt shall be filed no later than May 25, 2012. The
2 Motion need not be accompanied by argument, briefing, or evidence. The filing of this Motion
3 shall suspend the termination of the Amended Order and Settlement Agreement (Dkt. #237) in
4 this case.

5 3. Plaintiffs' Motion shall be noted for August 31, 2012.

6 4. Plaintiffs will disclose their experts' names and Curriculum Vitae no later than
7 June 4, 2012. The Defendant will disclose experts at a time mutually agreed upon by the parties.

8 5. Plaintiffs Opening Brief in Support of their Motion for Contempt will be filed
9 with supporting declarations and exhibits, and supporting expert declarations or reports no later
10 than August 6, 2012.

11 6. Defendant's Response shall be filed no later than August 27, 2012.

12 7. Plaintiffs Reply shall be filed no later than August 31, 2012.

13 8. The parties agree and the Court orders that the CR 7(e)(3) dispositive motion page
14 limits shall apply to the parties' briefing.

15 9. An evidentiary hearing on this matter may be set at the request of either party, or
16 if neither party requests an evidentiary hearing, the Court may conclude an evidentiary hearing is
17 necessary. If the Court so concludes, the Court shall so order.

18 10. Plaintiffs shall file their request for an evidentiary hearing no later than August
19 31, 2012.

20 11. Defendants shall file their request no later than September 5, 2012.

21 12. If an evidentiary hearing is held, the Court will conduct that hearing on September
22 17-20, 2012, and will enter a minute order to that effect.

