

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 AT TACOMA

4 RAYMOND T. BALVAGE and
5 DEBORAH A. BALVAGE, husband and
6 wife; et al.,

Case No. 3:09-cv-05409-BHS

7 Plaintiffs,

**STIPULATION AND ORDER RE
EXTENSION OF TRIAL DATE AND
CASE SCHEDULE**

8 v.

9 RYDERWOOD IMPROVEMENT AND
10 SERVICE ASSOCIATION, INC., a
Washington non-profit corporation,

Defendant.

11 The parties in this lawsuit hereby stipulate and agree:

12 **STIPULATION**

13 1. The parties agree that good cause exists for the Court to extend the trial date in
14 this lawsuit, which is presently scheduled for May 21, 2013. After Plaintiffs filed their Third
15 Amended Complaint on November 2, 2012, in which Plaintiffs brought additional personal
16 claims of the 47 named plaintiffs, extensive additional discovery is needed relating to each of
17 the 47 plaintiffs. The parties are not in position to be able to make the disclosures, complete
18 discovery, and otherwise meet the present case schedule deadlines or to be ready for trial by the
19 presently scheduled trial date.

20 2. Additionally, due in part to the possible need to call as witnesses most or all of
21 the 47 named plaintiffs, the parties request the Court reserve 20 days for trial (as opposed to the
22 10 days presently reserved).

23 3. With respect to a requested new trial date, counsel for defendant has previously
24 scheduled trial dates which conflict with possible dates for a new trial date in this case, which
25 include other trial dates of August 21, 2013 and beginning the second week of September 2013.
26 Thus, the parties request the Court set a new trial date in this case alternatively as follows:

27 STIPULATION AND ORDER RE EXTENSION OF TRIAL
DATE AND CASE SCHEDULE - 1
Case No. 3:09-cv-05409-BHS

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1 (a) a new trial date of July 22, 2013, if such date is available for the Court and if
2 four weeks is available for reservation of trial time; or
3 (b) a new trial date beginning October 7, 2013 or as soon thereafter depending
4 on the Court's availability.

5 4. The parties also request the Court issue or the Court directs the Court Clerk to
6 issue a new case schedule consistent with the new trial date.

7 5. Thus, the parties agree the Court may enter an order setting a new trial date as
8 chosen by the Court with the above timing requests in mind, and setting (or directing the Court
9 Clerk to set) a new case schedule consistent with the timing of the new trial date.

10 DATED this 12th day of November, 2012.

11 LANE POWELL PC

BETTS PATTERSON & MINES PS

[per email approval]

12
13
14 By s/ Joseph E. Lynam
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20
21 *[per email approval]*

22 By s/ Bob White and Diane White
23 Bob White and Diane White, husband and
24 wife
25 Plaintiffs, appearing pro se

1 **ORDER**

2 BASED on the above Stipulation, IT IS HEREBY

3 ORDERED that the trial date in this case is extended to October 8, 2013, and

4 ORDERED that the Court Clerk is directed to issue a new case schedule consistent with
5 the new trial date.

6 DATED this 14th day of November, 2012.

7
8 

9
10 BENJAMIN H. SETTLE
United States District Judge

11 Presented by:
LANE POWELL PC

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20 Copy Received; Approved for Entry;
21 and Notice of Presentation Waived:

22 BETTS PATTERSON & MINES PS
23 *[per email approval]*

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29 Bob White and Diane White, husband and wife
30 Plaintiffs, appearing pro se