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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 CHASSIDY F. LUCAS, et al.,

7 Plaintiffs,

8 v.

9 JOE CAMACHO, et al.,

10 Defendants.

CASE NO. C11-5350BHS

ORDER

11 This matter comes before the Court on Defendants Joe Camacho, Deborah
12 Camacho, and Angela Stephenson's ("Camacho Defendants") request for fees (Dkt. 63),
13 Defendants George and Lori Parker's ("Parkers") request for fees (Dkt. 65), and Plaintiffs
14 Chassidy Lucas, Bianca Lucas, and CB Stormwater's ("Plaintiffs") motion for trial (Dkt.
15 68). The Court has reviewed the briefs filed in support of the requests and motion and the
16 remainder of the file.
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18 **I. PROCEDURAL HISTORY**

19 On May 5, 2011, Plaintiffs filed a complaint alleging patent infringement by both
20 the Camacho Defendants and the Parkers. Dkt. 1.

21 On July 25, 2011, Plaintiffs filed a motion to compel. Dkt. 34. On August 1,
22 2011, the Camacho Defendants responded. Dkt. 40. On August 2, 2011, the Parkers
23 responded. Dkt. 42. On September 8, 2011, the Court denied Plaintiffs' motion, awarded
24 Defendants reasonable fees in responding to the motion, and requested briefing on the
25 amount of such fees. Dkt. 60.
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1 On September 13, 2011, the Camacho Defendants filed a brief in support of their
2 fees. Dkt. 62. On September 19, 2011, the Parkers filed a brief in support of their fees.
3 Dkt. 65.

4 On September 21, 2011, Plaintiffs filed a motion for trial. Dkt. 68. On September
5 28, 2011, the Camacho Defendants responded. Dkt. 70. On September 29, 2011, the
6 Parkers responded. Dkt. 73.

7 **II. DISCUSSION**

8 **A. Fees**

9 In this case, the Court awarded Defendants reasonable fees in responding to
10 Plaintiffs' premature motion to compel. The Camacho Defendants have requested \$300
11 in fees. The Court finds that this amount is reasonable. Therefore, Plaintiffs are ordered
12 to pay the Camacho Defendants \$300 within a reasonable time.
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14 The Parkers also request fees for the time expended representing themselves pro
15 se. The Parkers assert that they expended valuable time and resources in responding to
16 Plaintiffs' motion and request to be reimbursed at a rate that the Court deems reasonable.
17 First, the Parkers' response was very similar to the Camacho Defendants' response, which
18 was prepared by an attorney and submitted one day prior to the Parkers' response. The
19 Court is not persuaded that the Parkers expended valuable time or resources drafting their
20 response. Second, the Parkers have failed to document their time or submit such
21 documentation for the Court's consideration. Therefore, the Court denies the Parkers'
22 request for fees because they have failed to provide evidence of an appropriate
23 reimbursement amount.

24 **B. Motion for Trial**

25 Although Plaintiffs' motion is somewhat confusing, it appears that Plaintiffs have
26 submitted a motion to set a trial date instead of participating in the initial conference and
27 submitting a Joint Status Report. *See* Dkt. 68. Plaintiffs are informed that it is their
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1 responsibility to schedule an initial conference and submit a Joint Status Report. *See* Dkt.
2 3. Failure to do either of these tasks may result in dismissal of the action for failure to
3 comply with the Court's explicit order. In any event, the Court denies Plaintiffs' motion
4 to set a trial date and orders Plaintiffs to submit a Joint Status Report that is signed by all
5 parties no later than October 28, 2011. Failure to submit such a report may result in
6 dismissal unless good cause is shown for such failure.

7 **III. ORDER**

8 Therefore, it is hereby **ORDERED** that the Camacho Defendants' request for fees
9 (Dkt. 63) is **GRANTED**, the Parkers' request for fees (Dkt. 65) is **DENIED**, and
10 Plaintiffs' motion for trial request (Dkt. 68) is **DENIED**. Plaintiffs shall file a Joint
11 Status Report signed by all parties no later than October 28, 2011.

12 DATED this 17th day of October, 2011.

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16 BENJAMIN H. SETTLE
17 United States District Judge
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