

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CABELA'S RETAIL, INC.,

Plaintiff,

v.

HAWKS PRAIRIE INVESTMENT, LLC,

Defendant.

No. 11-CV-5973 RBL

ORDER DENYING MOTION FOR
RECONSIDERATION

[Dkt. #28]

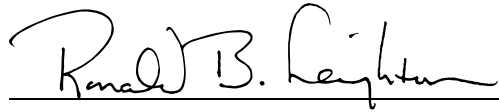
On March 20, 2012, following a status hearing, the Court ordered the parties to exchange reciprocal letters, copying the Court, in order to set an expedited discovery basis. The Court reasoned that an expedited schedule was warranted given the limited discovery necessary to address the legal issues in dispute. On March 21, 2010, Cabela's proposed an expedited schedule, which was adopted by the Court on April 5th after Hawks Prairie failed to respond. Hawks Prairie now moves for reconsideration of the scheduling order arguing that Cabela's has indicated it will open its Tulalip store regardless of the outcome of this case, and thus, there is no need for an expedited schedule. (*See* Def.'s Mot. for Reconsideration at 1 (Dkt. #28).)

The parties were given the opportunity to argue the advantages and disadvantages of an expedited schedule at the March status conference. Hawks Prairie agreed to an expedited schedule and has failed to comply with the Court's instructions.

Hawks Prairie further argues that it is unsure whether it or Homestreet will lead the litigation. *Id.* at 2. That question does not affect the scheduling order; the two entities are ably suited to resolving that matter themselves.

1 Here, however, Hawks Prairie merely reargues the status conference. The motion for
2 reconsideration is **DENIED**.

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4 Dated this 11th day of April 2012.

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7 RONALD B. LEIGHTON
8 UNITED STATES DISTRICT JUDGE
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