

HON. BENJAMIN H. SETTLE

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WASTE ACTION PROJECT,)
)
Plaintiff,)
v.)
)
HAROLD LEMAY ENTERPRISES, INC.,)
)
Defendant.)

Case No. 3:12-cv-05441-BHS

ORDER GRANTING THE
PARTIES' STIPULATED MOTION FOR
LEAVE TO FILE CROSS-MOTION FOR
PARTIAL SUMMARY JUDGMENT,
ESTABLISH BRIEFING SCHEDULE,
AND REVISE EXPERT DISCOVERY
DEADLINES

Based upon the parties' stipulated motion, the Court finds that good cause has been shown for allowing Plaintiff WAP to file a cross-motion for summary judgment and granting the parties request to establish the following briefing schedule and page limits:

<u>Brief</u>	<u>Deadline</u>	<u>Page Limits</u>
Defendant HLE's Partial Motion for Summary Judgment	July 18, 2013 (already filed)	24 pages
Plaintiff WAP's Cross-Motion for Summary Judgment and Response to Defendant HLE's Partial Motion for Summary Judgment	August 15, 2013	36 pages

[PROPOSED] ORDER GRANTING THE
STIPULATED MOTION FOR LEAVE TO FILE
CROSS-MOTION FOR PARTIAL SUMMARY
JUDGMENT, ESTABLISH BRIEFING SCHEDULE
AND REVISE EXPERT DISCOVERY DEADLINES -

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<u>Brief</u>	<u>Deadline</u>	<u>Page Limits</u>
Defendant HLE's Response to Plaintiff WAP's Cross-Motion for Partial Summary Judgment and Reply in Support of Defendant's Motion for Partial Summary Judgment	September 13, 2013	24 pages
Plaintiff WAP's Reply in Support of Plaintiff's Motion for Partial Summary Judgment	September 24, 2013	12 pages


Based upon the parties' stipulated motion, the Court finds that good cause has been shown for amending the expert discovery deadlines as follows:

Event	Current Deadline	New Deadline
Disclosure of expert testimony under FRCP 26(a)(2)	August 28, 2013	November 1, 2013
Disclosure of rebuttal expert testimony under FRCP 26(a)(2)	September 26, 2013	November 27, 2013
Expert depositions	None	December 21, 2013
All motions related to discovery must be FILED by	October 8, 2013	Fact discovery = October 8, 2013 Expert Discovery = December 31, 2013
Discovery COMPLETED by	November 5, 2013	Fact discovery = November 5, 2013 Expert Discovery = January 18, 2014

[PROPOSED] ORDER GRANTING THE STIPULATED MOTION FOR LEAVE TO FILE CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT, ESTABLISH BRIEFING SCHEDULE AND REVISE EXPERT DISCOVERY DEADLINES -

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1 DATED this 29 day of July, 2013.

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5 HONORABLE BENJAMIN H. SETTLE
6 UNITED STATES DISTRICT JUDGE

7 Presented by:

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9 **SMITH & LOWNEY, PLLC**

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30 [PROPOSED] ORDER GRANTING THE
31 STIPULATED MOTION FOR LEAVE TO FILE
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33 JUDGMENT, ESTABLISH BRIEFING SCHEDULE
34 AND REVISE EXPERT DISCOVERY DEADLINES -

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[PROPOSED] ORDER GRANTING THE
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JUDGMENT, ESTABLISH BRIEFING SCHEDULE
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