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

5 DINAH CANADA, et al.,

6 Plaintiffs,

7 v.

8 MERACORD, LLC, et al.,

9 Defendants.

CASE NO. C12-5657 BHS

ORDER DENYING PLAINTIFFS'
MOTION FOR LEAVE TO
CONDUCT DISCOVERY AND
DEFENDANTS' MOTION TO
STRIKE

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11 This matter comes before the Court on Plaintiffs Marie Johnson-Peredo
12 (“Johnson-Peredo”), Dinah Canada (“Canada”), and Robert Hewson’s (“Hewson”)
13 (collectively “Plaintiffs”) motion for limited discovery on jurisdiction and arbitrability
14 (Dkt. 65), and Defendants Lloyd E. Ward, Amanda Glen Ward, Lloyd Ward, P.C., Lloyd
15 Ward & Associates, P.C., The Lloyd Ward Group, P.C., Ward Holdings, Inc., and
16 Settlement Compliance Commission, Inc.’s (“Ward Defendants”) motion to strike (Dkt.
17 72).

18 The Court and the parties are familiar with the proceedings and facts of this
19 matter. With respect to the instant motions, the Ward Defendants move to strike the first
20 four pages of Plaintiffs’ motion because the pages contain additional argument as to the
21 merits of the Ward Defendants’ motion to dismiss. Dkt. 72. Although the Court agrees
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1 with the Ward Defendants, this material was not considered when deciding the motion to
2 dismiss. Therefore, the Court **DENIES** the Ward Defendants' motion as moot.

3 With regard to the remainder of Plaintiffs motion, they request leave to conduct
4 limited discovery on the issues of jurisdiction and arbitrability. Dkt. 65. The issue of
5 arbitrability has been decided in Plaintiffs' favor. Therefore, the Court **DENIES** this
6 request as moot.

7 With regard to jurisdiction, the Court dismissed only some of the Ward
8 Defendants for lack of jurisdiction (*see* Dkt. 79) and declined to stay Johnson-Peredo's
9 claims (*see* Dkt. 80). Johnson-Peredo may propound discovery on the remaining
10 Defendants requesting information as to any association with any other entity, whether
11 that be an individual or a business entity. If pertinent facts are discovered, then Johnson-
12 Peredo may request leave to file an amended complaint. Moreover, the Court notes that
13 two of the dismissed Defendants appear to be officers and/or employees of the
14 Defendants that were not dismissed. Because the dismissed Defendants may still be
15 involved in the case, the prejudice to Johnson-Peredo in denying jurisdictional discovery
16 over the dismissed Defendants individually is minimal, if any. Therefore, the Court
17 **DENIES** Plaintiffs' motion for leave to conduct discovery.

18 **IT IS SO ORDERED.**

19 Dated this 31st day of January, 2013.

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21 **BENJAMIN H. SETTLE**
22 United States District Judge