

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 TRAVELERS PROPERTY
9 CASUALTY COMPANY OF
10 AMERICA, a foreign insurance
11 company; and THE PHOENIX
12 INSURANCE COMPANY, a foreign
13 insurance company,

14 Plaintiffs,

15 v.

16 NORTHWEST PIPE COMPANY,

17 Defendant.

CASE NO. C17-5098 BHS

ORDER DIRECTING CLERK TO
REMOVE PLAINTIFFS' MOTION
FROM THE CALENDAR AND
STRIKE DOCUMENTS FROM
THE RECORD, REQUIRING
DEFENDANT TO FILE
REDACTED VERSIONS OF
CERTAIN DOCUMENTS, AND
STAYING MATTER

18 This matter comes before the Court on Plaintiffs the Phoenix Insurance Company
19 and Travelers Property Casualty Company of America's ("Travelers") motion for
20 sanctions, Dkt. 123; the Court's order regarding that motion, Dkt. 164; Travelers' notice
21 of withdrawal of the motion and request for return of documents, Dkt. 166; and the
22 parties' status reports regarding further proceedings, Dkts. 167, 168.

On November 26, 2018, Travelers filed the motion for sanctions asserting that
Defendant Northwest Pipe Company ("NPC") failed to comply with provisions of the

1 parties' stipulated protective order regarding filing of documents marked confidential and
2 requesting the imposition of sanctions. Dkt. 123. On January 25, 2019, the Court issued
3 an order reserving ruling on the motion and providing Travelers with the option of
4 withdrawing the motion and seeking return of the documents or pursuing sanctions. Dkt.
5 164. On February 8, 2019, Travelers filed a notice of withdrawal of the motion and
6 requested return of the documents. Dkt. 166. Based on this notice, the Clerk shall (1)
7 remove the motion, Dkt. 123, from the Court's calendar and (2) strike documents 110 and
8 112-2 from the record. For purposes of a complete record, NPC shall file a redacted
9 version of documents 110 and 112-2 redacting the portions of these documents giving
10 rise to Travelers' motion.

11 Regarding further proceedings, the Court finds that a stay is appropriate. If
12 Travelers seeks discovery during the stay for purposes of participating in settlement
13 discussions of the underlying matter, it may file a motion or stipulation to lift the stay for
14 the limited purpose of that discovery. The Clerk shall administratively close this matter
15 for purposes of the stay. The parties shall notify the Court once the underlying matter is
16 resolved or if this matter is settled.

17 **IT IS SO ORDERED.**

18 Dated this 22nd day of February, 2019.

19
20
21
22



BENJAMIN H. SETTLE
United States District Judge