

District Judge Benjamin H. Settle

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JEFFREY PORTMANN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 3:23-cv-05064-BHS

STIPULATED MOTION AND ORDER  
FOR EXTENSION OF PRETRIAL  
DEADLINES

Noted for Consideration:  
May 8, 2024

**JOINT STIPULATION**

The parties stipulate and agree to a brief two-week extension for dates related to discovery. The parties continue to litigate this matter and have had additional settlement discussions. One of Defendant’s potential experts was sick and out of communication for over a month. Both parties could use additional time to further develop discovery in this matter.

A court may modify a deadline for good cause. Fed. R. Civ. P. 16(b). Continuing pretrial and trial dates is within the discretion of the trial judge. *See King v. State of California*, 784 F.2d 910, 912 (9th Cir. 1986). The parties submit that the above facts provide good cause for a brief extension of the discovery-related deadlines.

1 The parties stipulate and agree to extend the following dates currently set by the prior  
2 scheduling order, subject to the Court's availability and approval:

| <u>Deadline</u>   | <u>Current Date</u> | <u>Extended Date</u> |
|---|---------------------|----------------------|
| Disclosure of expert testimony under FRCP 26(a)(2)          | June 3, 2024        | June 17, 2024        |
| Disclosure of rebuttal expert testimony under FRCP 26(a)(2) | July 3, 2024        | July 17, 2024        |
| All motions related to discovery must be filed by           | July 15, 2024       | July 29, 2024        |
| Discovery completed by                                      | August 12, 2024     | August 26, 2024      |

10 **SO STIPULATED.**

11 DATED this 8th day of May, 2024.

12 Respectfully submitted,

13 TESSA M. GORMAN  
United States Attorney

FIELDING LAW GROUP

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s/ Scott Boyce  
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*Attorney for Plaintiff*

22 *Attorneys for United States of America*

23 I certify that this memorandum contains 198  
24 words, in compliance with the Local Civil Rules.

1 **ORDER**

2 It is hereby ORDERED that the parties' motion is GRANTED. The new discovery  
3 deadlines are as follows:

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| <u>Deadline</u>   | <u>Current Date</u> | <u>Extended Date</u> |
|---|---------------------|----------------------|
| 5 Disclosure of expert testimony under FRCP 26(a)(2)          | June 3, 2024        | June 17, 2024        |
| 6 Disclosure of rebuttal expert testimony under FRCP 26(a)(2) | July 3, 2024        | July 17, 2024        |
| 7 All motions related to discovery must be filed by           | July 15, 2024       | July 29, 2024        |
| 8 Discovery completed by                                      | August 12, 2024     | August 26, 2024      |

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11 DATED this 9th day of May, 2024.

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14 BENJAMIN H. SETTLE  
15 United States District Judge