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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 MICHAEL EVITT,

9 Plaintiff,

10 v.

11 FERRELL CALHOUN, BANK OF  
AMERICA NA,

12 Defendant.

CASE NO. 3:24-cv-05830-BAT

**ORDER GRANTING STIPULATED  
MOTION TO STAY**

13 Plaintiff Michael Evitt and Defendant Bank of America, N.A. ("BANA"). have stipulated  
14 to a stay of these proceedings pending a decision in the Washington Court of Appeals. Dkt. 9.  
15 Defendant Ferrell Calhoun has not yet been served in this matter.

16 Having reviewed the stipulation and balance of the record, the Court finds good cause to  
17 stay this action pending the Washington Court of Appeals' decision in *Michael Evitt v. Bank of*  
18 *America, N.A.*, Case No. 601419 as the decision implicates the viability of Plaintiff's Consumer  
19 Protection Act Claim filed against Defendant BANA in this action.

20 Accordingly, it is **ORDERED**:

- 21 1. The stipulated motion (Dkt. 9) is **GRANTED**;
- 22 2. All proceedings in this matter, including all case deadlines and scheduled  
23 hearings, are **STAYED** subject to further order of the Court;

ORDER GRANTING STIPULATED MOTION  
TO STAY - 1

3. The parties shall provide the Court with a status report within 120 days of the date of this Order.

DATED this 5th day of December, 2024.

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BRIAN A. TSUCHIDA  
United States Magistrate Judge