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The Honorable Ricardo Martinez

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

WASHINGTON ASSOCIATION  
OF CHURCHES, et al.,  
  
Plaintiffs,

v.

SAM REED, in his official capacity as  
Secretary of State for the State of  
Washington,  
  
Defendant.

NO. CV06-0726RSM

MOTION TO REVISE INITIAL  
SCHEDULING DATES BASED  
ON SETTLEMENT

**MOTION**

Defendant Sam Reed, Washington State Secretary of State, with the concurrence of Plaintiffs, respectfully moves this Court to revise the initial scheduling dates set forth in this Court's Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement, dated February 1, 2007, because the parties have agreed in principle to a settlement of this action. Defendant respectfully requests that these dates be deferred by two weeks in order to provide the parties time to reduce the terms of settlement to an agreed order to be submitted to this Court. Counsel for Plaintiffs has authorized the undersigned counsel to represent to this Court that they concur with the relief requested in this motion.

1 **FACTS**

2 The parties to this action, by and through their respective counsel, have been  
3 discussing a potential settlement of this action. In recent days these discussions have led to  
4 an agreement in principle to settle this action through the entry of an agreed order by this  
5 Court. Although the parties have agreed in principle as to the general terms upon which the  
6 case can be settled, they anticipate that it may take several weeks to come to agreement as to  
7 specific language.

8 On February 1, 2007, this Court entered an Order Regarding Initial Disclosures, Joint  
9 Status Report, and Early Settlement. That Order set initial scheduling dates as follows:

10	Deadline for FRCP 26(f) Conference:	03/01/2007
11	Initial Disclosure Pursuant to FRCP 26(a)(1):	03/08/2007
12	Combined Joint Status Report and Discovery 13 Plan as Required by FRCP 26(f) and Local 14 Rule CR 16:	03/15/2007

15 **ARGUMENT**

16 The parties have reached an agreement in principle upon a settlement of this case.  
17 The initial scheduling dates recited above, however, are fast approaching and the parties  
18 anticipate that it may take several weeks to reach agreement as to the precise form of an  
19 order that resolves this action. The agreement in principle to settle the case makes it  
20 unnecessary to complete the actions contemplated in order to comply with the Court's order.  
21 This case can be more promptly resolved if counsel devote their time and attention to  
22 reaching an agreement on the form of an order that would best implement the specific terms  
23 upon which the parties have agreed to settle this case. In order to assure that progress toward  
24 completing the settlement continues, the parties do not ask that these dates be stricken  
25 entirely, but rather that they be deferred for two weeks.  
26

1 **CONCLUSION**

2 For these reasons, and with the concurrence of Plaintiffs, Defendant respectfully  
3 requests that this Court enter an Order to revise the initial scheduling dates set forth in this  
4 Court's Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement, dated  
5 February 1, 2007, to set the initial scheduling dates as follows:

6 Deadline for FRCP 26(f) Conference: 03/15/2007

7 Initial Disclosure Pursuant to FRCP 26(a)(1): 03/22/2007

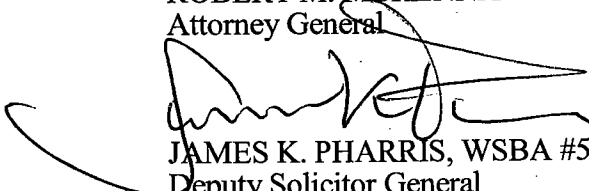
8 Combined Joint Status Report and Discovery

9 Plan as Required by FRCP 26(f) and Local

10 Rule CR 16: 04/01/2007

11 DATED this 16<sup>th</sup> day of February, 2007.

12 ROBERT M. MCKENNA  
13 Attorney General

14   
15 JAMES K. PHARRIS, WSBA #5313  
Deputy Solicitor General

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