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6
7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON

9 ELF-MAN, LLC,

10 Plaintiff,

11 v.

12 RYAN LAMBERSON,

13 Defendants.
14

Civil Action No. 13-cv-00395 TOR

MOTION TO EXTEND TIME TO
RESPOND TO MOTION TO
INTERVENE AND/OR UNSEAL

Note on Motion Calendar: 12/15/17

15 5 PM — Without Oral Argument

16
17 The undersigned counsel respectfully moves the Court for an extension of time
18 to respond to the motions to intervene and unseal records in this case. (Dkts. 114, 116)

19 The undersigned counsel appeared in this case in June 2014 at the time of
20 withdrawal of former counsel for the limited purpose of seeking dismissal. The case
21 was terminated shortly thereafter and has been closed since January 2015. The
22 undersigned counsel has not represented and has had no communication with Plaintiff
23 since the mid-2015 time period.

24 Since the time undersigned counsel received electronic notification of the
25 motions it has been attempting to identify a contact for Plaintiff or its current counsel (if
26

1 any) to notify it of the motions. At this time, undersigned counsel has no knowledge of
2 whether Plaintiff will oppose either the motion to intervene or unseal the records.
3 Counsel is only today obtaining from the Court online access to the sealed records at
4 issue, several of which it did not possess as they had been filed prior to appearance, and
5 intends to provide them to Plaintiff and its current counsel (if any) one identified and
6 located in an effort to facilitate such determination by Plaintiff.

7
8 Given the passage of time, the unknown current status of Plaintiff, and the lack
9 of knowledge of Plaintiff's current legal counsel or its instructions in this matter, out of
10 an exercise of caution undersigned former counsel respectfully requests an extension of
11 time to identify and provide Plaintiff with notice and an opportunity to appear and
12 respond. Given the holiday season and difficulties in communication during this period,
13 counsel respectfully submits that an extension until early January 2018 may be
14 appropriate. As this case has sat closed for nearly three years, there can be no pressing
15 time urgency in addressing this matter.¹

16 RESPECTFULLY SUBMITTED November 15, 2017.

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26 ¹ Counsel further notes that while both the motions to intervene and to unseal records were noted for the same date, it seems that the motion to intervene should be ruled on first, and thereafter, if granted, a motion to unseal may be filed, fully briefed, and considered.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served to all counsel or parties of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

s/David A. Lowe