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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MEDICAL COMMUNICATIONS  
RESOURCES, INC., et al.,

Plaintiffs,

v.

GLOBAL INITIATIVE FOR ASTHMA,  
INC., et al.,

Defendants.

CASE NO. C10-5541BHS

ORDER DENYING  
PLAINTIFFS' MOTION FOR  
RELIEF FROM DEADLINES  
AND STAY OF PROCEEDINGS  
PENDING MEDIATION

This matter comes before the Court on Plaintiffs Medical Communications Resources, Inc. and US Health Network, Inc.'s motion for relief from deadlines and stay of proceedings pending mediation (Dkt. 39). The Court has considered the pleadings filed in support of and in opposition to the motions and the remainder of the file and hereby denies the motion for the reasons stated herein.

Plaintiffs seek relief from the Court's deadlines contained in its initial order (Dkt. 5) and for a stay of proceedings until ten days after the parties' mediation currently scheduled for November 8, 2010. Dkt. 39 at 6-7. Plaintiffs contend that the Court's granting of their requests will encourage a more successful mediation and save the parties' resources that otherwise may be unnecessarily used for litigation. *Id.* Defendants object to Plaintiffs' motion arguing that Plaintiffs' requests, if granted, will actually impede the parties' ability to participate in a meaningful mediation. Defendants maintain that if the deadlines are extended and the case is stayed they will not be fully informed

1 because they will lack the benefit of initial disclosures and basic discovery that would  
2 otherwise be obtained prior to mediation. Dkt. 43 at 3-4.

3 The current case schedule was in place at the time the parties agreed to the  
4 November 8, 2010 mediation date. Defendants agreed to the mediation date based on that  
5 case schedule and the Court agrees with Defendants that they would be unfairly  
6 prejudiced by altering the current deadlines.

7 Therefore, the Court concludes that Plaintiffs' motion for relief from deadlines and  
8 stay of proceedings pending mediation is **DENIED**.

9 DATED this 20th day of October, 2010.

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12 BENJAMIN H. SETTLE  
13 United States District Judge  
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