

The Honorable Ricardo S. Martinez

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

APICDA JOINT VENTURES, INC., an Alaska  
corporation, and APICDA VESSELS, INC., an  
Alaska corporation,

Plaintiffs,

v.

TRIDENT SEAFOODS, INC., a Washington  
corporation,

Defendant.

CASE NO. 2:20-cv-01244

**STIPULATED MOTION TO  
CONTINUE TRIAL DATE AND  
AMEND CASE SCHEDULE AND  
[PROPOSED] ORDER**

NOTED FOR HEARING: October 4, 2021

[Clerk's Action Required]

**I. STIPULATED MOTION**

Plaintiffs APICDA Joint Ventures, Inc. and APICDA Vessels, Inc. (collectively  
“APICDA”) and defendant Trident Seafoods Corporation (“Trident”) by and through their  
respective counsel of record, submit this Stipulated Motion to Continue Trial and Amend Case  
Schedule. Currently, the matter is set for trial on April 25, 2022.

Litigation commenced on August 18, 2020. The dispute centers around two main  
issues: the calculation of the put price of Trident's purchase of APICDA Joint Venture's  
interest in the False Pass Seafood plant, and the extension of APICDA Vessel's right to  
repurchase its interests in certain vessels. The parties have reached a settlement on the first

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1 issue and anticipate formally dismissing those claims once the settlement conditions are  
 2 satisfied in the upcoming weeks. The parties are working to reach a settlement on the second  
 3 issue regarding the vessels, have established a framework for resolving their dispute, and have  
 4 set a goal to reach a final resolution by the end of this calendar year. The parties have delayed  
 5 discovery while conducting settlement discussions and believe it is in their best interests to  
 6 continue to stay discovery until the end of this calendar year (approximately 90 days) while  
 7 they continue to negotiate toward a complete resolution of this litigation. Should negotiations  
 8 fail by the end of this calendar year, the parties will commence with discovery and prepare for  
 9 trial. A trial continuance for approximately 180 days, until October 2022, will give the parties  
 10 adequate time to complete their negotiations and, if necessary, resume discovery on the  
 11 remaining issue in this litigation and prepare for trial.

12 The parties stipulate and request a continuance of the current trial of April 25, 2022  
 13 until October, 22 2022, or the Court's first availability thereafter. The parties further request  
 14 that the case schedule be revised accordingly. This is the first request for a trial continuance.

## 15 **II. ISSUE PRESENTED**

16 Whether the trial date and related pretrial deadlines should be extended approximately  
 17 180 days where the parties have already reached settlement on some of the claims and seek to  
 18 stay discovery while they continue to negotiate the remaining claims.  
 19

## 20 **III. EVIDENCE RELIED UPON**

21 This motion is based upon the pleadings and records on file in this matter.  
 22

## 23 **IV. AUTHORITY AND ARGUMENT**

24 The Court has discretion to modify the case schedule for "good cause." LCR 16(b)(6).  
 25  
 26  
 27

1 Good cause for continuing the trial date and case schedule exists. The parties have resolved  
2 most issues in this matter, have a framework to resolve the remaining issues, and are making  
3 good faith efforts to settle the remaining issues. The parties believe it is in their best interests to  
4 stay discovery while negotiations progress. Thus, good cause exists to extend the trial date until  
5 October 22, 2022 or the Court's first availability thereafter.

6  
7 Dated this 4<sup>th</sup> day of October, 2021.

RESPECTFULLY SUBMITTED,

8  
9 WILLIAMS, KASTNER & GIBBS PLLC

BYRNES KELLER CROMWELL LLP

10  
11 By /s/ John G. Young

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**ORDER**

This matter having come before the Court upon the above Stipulated Motion of the parties, and the Court having reviewed the Stipulated Motion and the records and files herein, and otherwise deeming itself fully advised, it is now, therefore

ORDERED, ADJUDGED AND DECREED that the trial of this case shall be reset to a date on or after October 22, 2022 or \_\_\_\_\_ and the Case Schedule shall be amended accordingly.

DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Richard S. Martinez  
United States District Court Judge

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