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U.S. District Court

**United States District Court for the Western District of Washington (Seattle) CIVIL
DOCKET FOR CASE #: 2:22-cv-01835-RSM**

PROTO

State of Washington v. Alderwood Surgical Center LLC
et al Assigned to: Judge Ricardo S. Martinez

Cause: 15:0045 Federal Trade Commission Act

Date Filed: 12/29/2022

Jury Demand: None

Nature of Suit: 890 Other Statutory Actions

Jurisdiction: Federal Question

Plaintiff

State of Washington

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represented by **Matthew Geyman**

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V.

Defendant

Alderwood Surgical Center LLC a
Washington limited liability company

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2/19

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Northwest Nasal Sinus Center PS a

Washington professional service

corporation

represented by **Amanda J Beane**

(See above for address) *TERMINATED: 05/07/2024*

Blake Edward Marks-Dias (See above
for address) *ATTORNEY TO BE
NOTICED*

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5/31/24, 12:47 PM

4/19

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Cara V. Wallace
(See above for address)
TERMINATED: 05/07/2024

(See above for address) *TERMINATED: 05/08/2024*

Erin O'Leary

(See above for address) *TERMINATED: 11/02/2023*

Eron Z Cannon

(See above for address) *TERMINATED: 05/07/2024*

James Sanders

(See above for address) *TERMINATED: 11/02/2023*

Jesse C Williams

(See above for address) *TERMINATED: 11/02/2023*

Kristen Lange

(See above for address) *TERMINATED: 05/07/2024*

Kyle Nelson

Matthew Charles Halldorson
(See above for
address)
TERMINATED: 11/02/2023

Reina A Almon-Griffin (See

above for address)
TERMINATED: 05/07/2024

Steven W Fogg

(See above for address) *ATTORNEY TO BE NOTICED*

Tiffany L Lee

(See above for address) *TERMINATED: 05/07/2024*

Defendant

Javad Sajan

M.D.

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represented by **Amanda J Beane**

(See above for address)
TERMINATED: 05/07/2024

Blake Edward Marks-Dias (See above for address) *ATTORNEY TO BE NOTICED*

Cara V. Wallace

V.

Interested Party

Perkins Coie LLP

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(See above for address) *TERMINATED: 05/07/2024*

Erin O'Leary

(See above for address) *TERMINATED: 05/08/2024*

Eron Z Cannon

(See above for address) *TERMINATED: 11/02/2023*

James Sanders

(See above for address)
TERMINATED: 05/07/2024

Jesse C Williams

(See above for address) *TERMINATED: 11/02/2023*

Kristen Lange

(See above for address) *TERMINATED: 11/02/2023*

Kyle Nelson

(See above for address) *TERMINATED: 05/07/2024*

Matthew Charles Halldorson

(See above for
address)
TERMINATED: 11/02/2023

Reina A Almon-Griffin (See above for address) *TERMINATED: 05/07/2024*

Steven W Fogg

(See above for address) *ATTORNEY TO BE NOTICED*

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5/31/24, 12:47 PM

6/19

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Date Filed	#	Docket Text
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01/24/2023

02/10/2023

1 COMPLAINT against All Defendants (Receipt # AWAWDC-7829184), filed by State of Washington. (Attachments: # 1 Civil Cover Sheet, # 2 Summons for Alderwood Surgical Center, # 3 Summons for Northwest Nasal Sinus Center, # 4 Summons for Javad Sajan) (Leslie, Zorba) (Attachment 1 replaced on 12/30/2022 due to malformed PDF) (CDA). (Entered: 12/29/2022)

Judge Ricardo S. Martinez added. (CR) (Entered: 12/30/2022)

2 Summons(es) Electronically Issued as to defendant(s) Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan (Attachments: # 1 Summons, # 2 Summons) (CR) (Entered: 12/30/2022)

3 Notice of Filing Deficiency *Action Required*****

Improper Signature - Secondary Attorney(s).

See attached letter for more information and instructions. (CR) (Entered: 12/30/2022)

4 NOTICE of Appearance by attorney Zorba C Leslie on behalf of Plaintiff State of Washington. (Leslie, Zorba) (Entered: 12/30/2022)

5 NOTICE of Appearance by attorney Camille McDorman on behalf of Plaintiff State of Washington. (McDorman, Camille) (Entered: 01/03/2023)

6 AFFIDAVIT of Service of Summons and Complaint on Northwest Nasal Sinus Center on 1/5/2023, filed by Plaintiff State of Washington. (Geyman, Matthew) (Entered: 01/19/2023)

7 AFFIDAVIT of Service of Summons and Complaint on Alderwood Surgical Center on 1/6/2023, filed by Plaintiff State of Washington. (Geyman, Matthew) (Entered: 01/19/2023)

8 AFFIDAVIT of Service of Summons and Complaint on Javad A Sajan on 1/6/2023, filed by Plaintiff State of Washington. (Geyman, Matthew) (Entered: 01/19/2023)

9 ORDER REGARDING INITIAL DISCLOSURES, JOINT STATUS REPORT AND EARLY SETTLEMENT by Judge Ricardo S. Martinez. Joint Status Report due by 3/7/2023, FRCP 26(f) Conference Deadline is 2/21/2023, Initial Disclosure Deadline is 2/28/2023. (LC) (Entered: 01/24/2023)

10 ANSWER to 1 Complaint, Attorney Eron Z. Cannon added to party Alderwood Surgical Center LLC(pty:dft), Attorney Eron Z. Cannon added to party Northwest Nasal Sinus Center PS(pty:dft), Attorney Eron Z. Cannon added to party Javad Sajan(pty:dft) by Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (Cannon, Eron) (Entered: 02/10/2023)

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Attorneys Jesse C Williams, Matthew Charles Halldorson, Kristen Lange, James Sanders, Tiffany L Lee, Cara V. Wallace added for Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, and Javad Sajan, per the filing of Defendants' 10 Answer to Complaint. (SB) (Entered: 02/13/2023)

11 MOTION re 10 Answer to Complaint, *Strike Affirmative Defenses and Damages Request Under Section 1983*, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order) Noting Date

3/17/2023, (Geyman, Matthew) (Entered: 03/02/2023)

12 CORPORATE DISCLOSURE STATEMENT indicating no Corporate Parents and/or Affiliates. Filed pursuant to Fed.R.Civ.P 7.1(a)(1). Filed by Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (Cannon, Eron) (Entered: 03/07/2023)

13 JOINT STATUS REPORT signed by all parties. Estimated Trial Days: 16. Filed by Plaintiff State of Washington.(Leslie, Zorba) (Entered: 03/07/2023)

14 ORDER SETTING TRIAL DATE AND RELATED DATES by Judge Ricardo S.

Martinez. Bench Trial is set for 5/20/2024 at 09:00 AM before Judge Ricardo S. Martinez. Length of Trial: *16 days*. Joinder of Parties due by 4/7/2023, Amended Pleadings due by 4/7/2023, Expert Witness Disclosure/Reports under FRCP 26(a)(2) due by 11/22/2023, Motions due by 12/22/2023, Discovery completed by 1/22/2024, Dispositive motions due by 2/20/2024, 39.1 mediation to be completed by 4/5/2024, Motions in Limine due by 4/22/2024, Pretrial Order due by 5/8/2024, Trial briefs to be submitted by 5/15/2024, Proposed Findings of Fact and Conclusions of Law to be submitted by 5/15/2024. (LC) (Entered: 03/10/2023)

15 RESPONSE, by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, to 11 MOTION re 10 Answer to Complaint, *Strike Affirmative Defenses and Damages Request Under Section 1983*. (Attachments: # 1 Proposed Order Proposed Order)(Cannon, Eron) (Entered: 03/13/2023)

16 REPLY, filed by Plaintiff State of Washington, TO RESPONSE to 11 MOTION re 10 Answer to Complaint, *Strike Affirmative Defenses and Damages Request Under Section 1983* (Geyman, Matthew) (Entered: 03/17/2023)

17 MOTION for Judgment on the Pleadings, filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. Oral Argument Requested. (Attachments: # 1 Proposed Order Granting Motion) Noting Date 4/21/2023, (Cannon, Eron) (Entered: 03/30/2023)

18 RESPONSE, by Plaintiff State of Washington, to 17 MOTION for Judgment on the Pleadings. (Attachments: # 1 Proposed Order)(McDorman, Camille) (Entered: 04/17/2023)

19 REPLY, filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, TO RESPONSE to 17 MOTION for Judgment on the Pleadings (Cannon, Eron) (Entered: 04/21/2023)

20 Stipulated MOTION for Entry of Stipulated Protective Order, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order redline, # 2 Proposed Order clean) Noting Date 5/10/2023, (Leslie, Zorba) (Entered: 05/10/2023)

21 STIPULATED PROTECTIVE ORDER re Parties' 20 Stipulated MOTION. Signed by

Judge Ricardo S. Martinez. (LH) (Entered: 05/11/2023)

22 ORDER denying Defendants' 17 Motion for Judgment on the Pleadings. Signed by Judge Ricardo S. Martinez. (SS) (Entered: 05/12/2023)

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5/31/24, 12:47 PM

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23 NOTICE of Change of Address/Change of Name of Attorney Eron Z. Cannon. Filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (Cannon, Eron) (Entered: 05/19/2023)

24 ORDER granting in part and denying in part 11 Motion to Strike Affirmative Defenses.

Affirmative Defense 3 is stricken with prejudice and without leave to amend. The Motion is DENIED as to Affirmative Defense 10. Affirmative Defenses 12, 13, and 16 are stricken with leave to amend. Affirmative Defense 15 is stricken with prejudice and without leave to amend. The Motion is DENIED as to Affirmative Defense 14. Affirmative Defense 24 is stricken with prejudice and without leave to amend. Affirmative Defenses 25, 26, and 27 are stricken with prejudice and without leave to amend. The request for damages under 42 U.S.C. § 1983 found in Defendants Prayer for Relief is stricken with leave to amend. Should Defendants wish to amend consistent with the leave granted above, they must do so within thirty (30) days of this Order. Signed by Judge Ricardo S. Martinez.(MJV) (Entered: 05/26/2023)

25 Stipulated MOTION *re: Production of Civil Investigative Demand Response Materials*, filed by All Plaintiffs. (Attachments: # 1 Declaration of Matthew Geyman, # 2 Proposed Order) Noting Date 6/14/2023, (Geyman, Matthew) (Entered: 06/14/2023)

26 DECLARATION of Matthew Geyman filed by Plaintiff State of Washington re 25 Stipulated MOTION *re: Production of Civil Investigative Demand Response Materials* (Geyman, Matthew) (Entered: 06/15/2023)

06/15/2023 27 ORDER granting Parties' 25 Stipulated MOTION re: Production of Civil Investigative Demand Response Materials. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 06/15/2023)

06/21/2023 28 Stipulated MOTION *re: ESI Agreement*, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order ESI Agreement (redline), # 2 Proposed Order ESI Agreement (clean)) Noting Date 6/21/2023, (Leslie, Zorba) (Entered: 06/21/2023)

06/23/2023 29 MODIFIED MODEL AGREEMENT Regarding Discovery of Electronically Stored Information and Order. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 06/23/2023)

06/23/2023 30 ANSWER to 1 Complaint, by Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajjan. (Cannon, Eron) (Entered: 06/23/2023)

09/07/2023

09/07/2023

09/11/2023

09/14/2023

31 MOTION to Compel *Production of Consumer Names & Email Addresses*, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order) Noting Date 9/22/2023, (Geyman, Matthew) (Entered: 09/07/2023)

32 DECLARATION of Matthew Geyman filed by Plaintiff State of Washington re 31

MOTION to Compel *Production of Consumer Names & Email Addresses* (Attachments: # 1 **SEALED** Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 **SEALED** Exhibit, # 5 **SEALED** Exhibit, # 6 **SEALED** Exhibit, # 7 **SEALED** Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit)(Geyman, Matthew) Modified on 9/8/2023 to seal exhibit due to personal identifiers (SB). Modified on 9/14/2023 to seal additional exhibits due to personal identifiers (SB). (Entered: 09/07/2023)

33 PRAECIPE to attach document *Exhibit E (redacted)* re 32 Declaration,, by Plaintiff State of Washington (Attachments: # 1 Exhibit Exhibit E (redacted)) (Geyman, Matthew) (Entered: 09/11/2023)

34 PRAECIPE to attach document (Declaration) *redacted exhibits* re 32 Declaration,, by Plaintiff State of Washington (Attachments: # 1 Exhibit Exhibit A (redacted), # 2 Exhibit

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WAWD CM/ECF Version 1.7.0.2

Exhibit D (redacted), # 3 Exhibit Exhibit F (redacted), # 4 Exhibit Exhibit G (redacted)) (Geyman, Matthew) (Entered: 09/14/2023)

35 MOTION for Partial Summary Judgment, filed by Plaintiff State of Washington.

(Attachments: # 1 Proposed Order proposed order) Noting Date 10/6/2023, (McDorman, Camille) (Entered: 09/14/2023)

36 DECLARATION of Camille McDorman filed by Plaintiff State of Washington re 35

MOTION for Partial Summary Judgment (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E, # 6 Exhibit Exhibit F, # 7 Exhibit Exhibit G, # 8 Exhibit Exhibit H, # 9 Exhibit Exhibit I, # 10 Exhibit Exhibit J)(McDorman, Camille) (Entered: 09/14/2023)

37 RESPONSE, by Defendants Northwest Nasal Sinus Center PS, Javad Sajan, to 31

MOTION to Compel *Production of Consumer Names & Email Addresses*. (Cannon, Eron) (Entered: 09/18/2023)

38 DECLARATION of EZC filed by Defendants Alderwood Surgical Center LLC,

Northwest Nasal Sinus Center PS, Javad Sajan re 31 MOTION to Compel *Production of Consumer Names & Email Addresses* (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit D)(Cannon, Eron) (Entered: 09/18/2023)

39 **SEALED DOCUMENT** by Defendants Alderwood Surgical Center LLC, Northwest

Nasal Sinus Center PS, Javad Sajan re 21 Protective Order, 38 Declaration, (Cannon, Eron) (Entered: 09/18/2023)

09/19/2023 40 EXHIBIT C - REDACTED re 38 Declaration, by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan (Cannon, Eron) (Entered: 09/19/2023)

09/19/2023

09/22/2023

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41 UNREDACTED SEALED *Ex C - Unredacted* re 40 Exhibit, by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan (Cannon, Eron) (Entered: 09/19/2023)

42 REPLY, filed by Plaintiff **State** of Washington, TO RESPONSE to 31 MOTION to Compel *Production of Consumer Names & Email Addresses* (Geyman, Matthew) (Entered: 09/22/2023)

43 Supplemental DECLARATION of Matthew Geyman filed by Plaintiff State of Washington re 31 MOTION to Compel *Production of Consumer Names & Email Addresses* (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Geyman, Matthew) (Entered: 09/22/2023)

44 RESPONSE, by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, to 35 MOTION for Partial Summary Judgment. Oral Argument Requested. (Cannon, Eron) (Entered: 10/02/2023)

45 DECLARATION of Eron Cannon filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 35 MOTION for Partial Summary Judgment (Attachments: # 1 Exhibit Ex. A, # 2 Exhibit Ex. B, # 3 Exhibit Ex. C, # 4 Exhibit Ex. D, # 5 Exhibit Ex. E, # 6 Exhibit Ex. F)(Cannon, Eron) (Entered: 10/02/2023)

46 DECLARATION of Javad Sajan, MD filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 35 MOTION for Partial Summary Judgment (Cannon, Eron) (Entered: 10/02/2023)

47 DECLARATION of Gricelda Prado filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 35 MOTION for Partial Summary Judgment (Attachments: # 1 Exhibit A)(Cannon, Eron) (Entered: 10/02/2023)

10/06/2023

10/06/2023

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10/16/2023

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10/26/2023

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10/31/2023

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48 ORDER granting Plaintiff's 31 Motion to Compel. Defendant is directed to provide a full and complete response to Plaintiff's request within 30 days of this order, and to comply with the requirements set forth in RCW 70.02.060(1). Signed by Judge Ricardo S. Martinez. (SB) (Entered: 10/04/2023)

49 REPLY, filed by Plaintiff State of Washington, TO RESPONSE to 35 MOTION for

Partial Summary Judgment (McDorman, Camille) (Entered: 10/06/2023)

50 Supplemental DECLARATION of Camille McDorman filed by Plaintiff State of Washington re 35 MOTION for Partial Summary Judgment (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G) (McDorman, Camille) (Entered: 10/06/2023)

51 NOTICE of Appearance by attorney Alexandra K Kory on behalf of Plaintiff State of Washington. (Kory, Alexandra) (Entered: 10/16/2023)

52 NOTICE of Appearance by attorney Bret Finkelstein on behalf of Plaintiff State of Washington. (Finkelstein, Bret) (Entered: 10/16/2023)

MINUTE ORDER SETTING HEARING (text only): Telephonic hearing set for 10/26/2023 at 10:30 AM. Counsel provided dial-in information via email. Authorized by Judge Ricardo S. Martinez (LC) (Entered: 10/25/2023)

53 MINUTE ENTRY for proceedings held before Judge Ricardo S. Martinez- Dep Clerk:
Laurie Cuaresma; Pla Counsel: *Matthew Geyman, Bret Finkelstein, Camille McDorman, Zorba Leslie, Alexandra Kory*; Def Counsel: *James Sanders, Matthew Halldorson*; CR: *Debbie Zurn*; Time of Hearing: *10:30 AM*; **Telephone Conference** held on 10/26/2023 re Plaintiff's LCR 7(i) motion. Plaintiff's counsel advises the Court of issue involving letter sent by defense counsel to patients and requests limited relief; defense counsel presents their position to the Court. The Court directs counsel to immediately confer and prepare a corrective letter to be sent to patients. (LC) (Entered: 10/26/2023)

54 TRANSCRIPT REQUEST by Plaintiff State of Washington for proceedings held on 10/26/2023 re 53 Telephone Conference,,. Requesting Attorney: Matthew Geyman.

Posting of this Transcript Order form does not constitute an official request for transcript(s). If you have not already done so, you MUST contact the individual court reporter(s), Debbie Zurn (debbie_zurn@wawd.uscourts.gov, 206-370-8504) to make payment arrangements and secure your desired delivery time. (Geyman, Matthew) (Entered: 10/30/2023)

55 NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Telephonic Motion Hearing held on 10/26/2023 before Judge Ricardo S. Martinez.

Parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.

Transcript may be viewed at the court public terminal or purchased through the Court

Reporter/Transcriber before the deadline for **Release** of Transcript Restriction. After that date it may be obtained through PACER. Information regarding the policy can be found on the court's website at www.wawd.uscourts.gov.

To purchase a copy of the transcript, contact court reporter Debbie Zurn, debbie_zurn@wawd.uscourts.gov, 206-370-8504.

Release of Transcript Restriction set for 1/29/2024, (DZ) (Entered: 10/31/2023)

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56 NOTICE of Appearance by attorney Erin O'Leary on behalf of Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (O'Leary, Erin) (Entered: 11/01/2023)

11/02/2023 57 NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Kristen Lange; Jesse C

Williams; Eron Z Cannon and Matthew Charles Halldorson for Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (Cannon, Eron) (Entered: 11/02/2023)

11/02/2023

11/02/2023 58 MOTION for Sanctions, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order) Noting Date 11/17/2023, (Finkelstein, Bret) (Entered: 11/02/2023)

59 DECLARATION of Bret Finkelstein filed by Plaintiff State of Washington re 58 MOTION for Sanctions (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K)(Finkelstein, Bret) (Entered: 11/02/2023)

11/13/2023

60 Stipulated MOTION to Seal Declaration of James Sanders in Support of Defendants' Opposition to Plaintiff's Motion for Fees and Costs for Defendants' Failure to Comply with the Court's Discovery Order and Exhibit 1 Thereto and [Proposed] Order to Seal, filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. Noting Date 11/13/2023, (Sanders, James) (Entered: 11/13/2023)

11/13/2023 61 RESPONSE, by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, to 58 MOTION for Sanctions. (Attachments: # 1 Proposed Order)(Sanders, James) (Entered: 11/13/2023)

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62 DECLARATION of James Sanders filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 58 MOTION for Sanctions (Sanders, James) (Entered: 11/13/2023)

63 DECLARATION of Erin O'Leary filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 58 MOTION for Sanctions (Sanders, James) (Entered: 11/13/2023)

64 DECLARATION of Tiffany Lee filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 58 MOTION for Sanctions (Sanders, James) (Entered: 11/13/2023)

65 DECLARATION of Cara Wallace filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 58 MOTION for Sanctions (Sanders, James) (Entered: 11/13/2023)

66 SEALED DOCUMENT *Declaration of James Sanders In Support of Opposition to Plaintiff's Motion for Fees and Costs for Defendants' Failure to Comply with the Court's Discovery Order* by Defendant Javad Sajjan re 21 Protective Order, 60 Stipulated MOTION to Seal Declaration of James Sanders in Support of Defendants' Opposition to Plaintiff's Motion for Fees and Costs for Defendants' Failure to Comply with the Court's Discovery Order and Exhibit 1 Thereto and (Sanders, James) Modified on 11/14/2023 to update document relationship (KB). (Entered: 11/13/2023)

NOTICE of Docket Text Modification re 66 Sealed Document: Modified on 11/14/23 to strike docket entry relationship to 21 Protective Order. (KB) (Entered: 11/14/2023)

67 REPLY, filed by Plaintiff State of Washington, TO RESPONSE to 58 MOTION for Sanctions (Finkelstein, Bret) (Entered: 11/17/2023)

68 Supplemental DECLARATION of Bret Finkelstein filed by Plaintiff State of Washington re 58 MOTION for Sanctions (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, #

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4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Finkelstein, Bret) (Entered: 11/17/2023)

69 Unopposed MOTION to Amend *Case Schedule and [Proposed] Order*, filed by All Defendants. Noting Date 11/29/2023, (Sanders, James) (Entered: 11/29/2023)

11/29/2023 70 DECLARATION of James Sanders filed by All Defendants re 69 Unopposed MOTION to Amend *Case Schedule and [Proposed] Order* (Sanders, James) (Entered: 11/29/2023)

11/29/2023 71 DECLARATION of Tayla Mahoney filed by All Defendants re 69 Unopposed MOTION to Amend *Case Schedule and [Proposed] Order* (Sanders, James) (Entered: 11/29/2023)

11/30/2023 72 RESPONSE, by Plaintiff State of Washington, to 69 Unopposed MOTION to Amend *Case Schedule and [Proposed] Order*. (Leslie, Zorba) (Entered: 11/30/2023)

11/30/2023 73 DECLARATION of Zorba Leslie filed by Plaintiff State of Washington re 69 Unopposed MOTION to Amend *Case Schedule and [Proposed] Order* (Attachments: # 1 Exhibit A) (Leslie, Zorba) (Entered: 11/30/2023)

12/06/2023 74 ORDER granting in part Defendant's 69 Motion to Amend the Case Schedule. Trial is continued to 9/9/2024. The Court DIRECTS the clerk to issue a new scheduling order resetting all non-expired deadlines in this case consistent with the new trial date. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 12/06/2023)

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75 ORDER granting Plaintiff's 58 Motion for Sanctions. Defendant is directed to pay the state \$16,200 for its fees and costs for bringing this Motion within thirty (30) days of the date of this order. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 12/06/2023)

76 ****REVISED**** ORDER SETTING TRIAL DATE AND RELATED DATES by Judge Ricardo S. Martinez. Bench Trial is set for 9/9/2024 at 09:00 AM before Judge Ricardo S. Martinez. Length of Trial: *16 days*. Motions due by 4/12/2024, Discovery completed by 5/13/2024, Dispositive motions due by 6/11/2024, 39.1 mediation to be completed by 7/26/2024, Motions in Limine due by 8/12/2024, Pretrial Order due by 8/28/2024, Trial briefs to be submitted by 9/4/2024, Proposed Findings of Fact and Conclusions of Law to be submitted by 9/4/2024. (LC) (Entered: 12/07/2023)

77 ORDER granting Parties' 60 Stipulated MOTION to Seal Declaration of James Sanders in support of Defendants' Opposition to Plaintiff's Motion for Fees and Costs for Defendants' Failure to Comply with the Court's Discovery Order, and Exhibit 1 thereto. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 12/07/2023)

78 NOTICE of Appearance by attorney Kyle Nelson on behalf of Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (Nelson, Kyle) (Entered: 02/02/2024)

79 NOTICE of Appearance by attorney Amanda J Beane on behalf of Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (Beane, Amanda) (Entered: 03/06/2024)

Attorney Reina A Almon-Griffin added for Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, per the filing of Defendants' 79 Notice of Appearance. (SB) (Entered: 03/07/2024)

80 NOTICE of Appearance by attorney Ben Brysacz on behalf of Plaintiff State of Washington. (Brysacz, Ben) (Entered: 03/12/2024)

81 NOTICE of Appearance by attorney Rabi Lahiri on behalf of Plaintiff State of Washington. (Lahiri, Rabi) (Entered: 03/12/2024)

82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE*, filed by Plaintiff State of

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Washington. (Attachments: # 1 Proposed Order State's Motion to Compel) Noting Date 4/5/2024, (Finkelstein, Bret) (Entered: 03/21/2024)

83 DECLARATION of Deborah Singer filed by Plaintiff State of Washington re 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE* (Finkelstein, Bret) (Entered: 03/21/2024)

84 DECLARATION of BRET FINKELSTEIN filed by Plaintiff State of Washington re 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE* (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit)(Finkelstein, Bret) (Entered: 03/21/2024)

85 MOTION for Leave to File Over-length Motions and Briefs *and second dispositive motion*, filed by Plaintiff State of Washington. Noting Date 3/25/2024, (Kory, Alexandra) (Entered: 03/25/2024)

03/25/2024 86 ORDER denying Plaintiff's 85 Motion for Leave to File Over-length Motions and Briefs. Plaintiff is otherwise granted leave to file a second dispositive motion. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 03/25/2024)

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87 RESPONSE, by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, to 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE*. (Attachments: # 1 Proposed Order)(Sanders, James) (Entered: 04/01/2024)

88 DECLARATION of James Sanders filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE* (Attachments: # 1 Exhibit A) (Sanders, James) (Entered: 04/01/2024)

89 DECLARATION of Cara Wallace filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE* (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Sanders, James) (Entered: 04/01/2024)

90 DECLARATION of Tiffany L. Lee filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE* (Sanders, James) (Entered: 04/01/2024)

91 REPLY, filed by Plaintiff State of Washington, TO RESPONSE to 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE* (Finkelstein, Bret) (Entered: 04/05/2024)

92 Supplemental DECLARATION of Bret Finkelstein filed by Plaintiff State of Washington re 82 MOTION to Compel *PRODUCTION OF DOCUMENTS AND TESTIMONY DUE TO WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE* (Attachments: # 1 Exhibit 1, #2 Exhibit

2)(Finkelstein, Bret) (Entered: 04/05/2024)

93 NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Camille McDorman for Plaintiff State of Washington. (McDorman, Camille) (Entered: 04/10/2024)

94 MOTION for Protective Order *Regarding Defendants' Notice of FRCP 30(b)(6) Deposition*, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order)

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Noting Date 4/19/2024, (Brysacz, Ben) (Entered: 04/11/2024)

95 DECLARATION of Ben Brysacz filed by Plaintiff State of Washington re 94 MOTION for Protective Order *Regarding Defendants' Notice of FRCP 30(b)(6) Deposition* (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S)(Brysacz, Ben) (Entered: 04/11/2024)

04/12/2024 96 Second MOTION for Sanctions, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order) Noting Date 5/3/2024, (Geyman, Matthew) (Entered: 04/12/2024)

04/12/2024 97 ORDER granting Plaintiff's 35 Motion for Partial Summary Judgment as stated herein.
Signed by Judge Ricardo S. Martinez. (SB) (Entered: 04/12/2024)

04/12/2024

98 DECLARATION of Matt Geyman filed by Plaintiff State of Washington re 96 Second MOTION for Sanctions (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N)(Geyman, Matthew) (Entered: 04/12/2024)

04/12/2024 99 MOTION to Compel *Privilege Log and Production of Withheld Investigation Documents*, filed by All Defendants. (Attachments: # 1 Proposed Order) Noting Date 5/3/2024, (Nelson, Kyle) (Entered: 04/12/2024)

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100 DECLARATION of Kyle Nelson in Support Of Defendants Motion to Compel Privilege Log and Production of Withheld Investigation Documents filed by All Defendants re 99 MOTION to Compel *Privilege Log and Production of Withheld Investigation Documents* (Nelson, Kyle) (Entered: 04/12/2024)

101 DECLARATION of James Sanders in Support Of Defendants Motion to Compel Privilege Log and Production of Withheld Investigation Documents filed by All Defendants re 99 MOTION to Compel *Privilege Log and Production of Withheld Investigation Documents* (Attachments: # 1 Exhibit A-H, # 2 Exhibit I-P)(Nelson, Kyle) (Entered: 04/12/2024)

102 TELEPHONIC MOTION *Withdraw as Counsel and Temporarily Stay the Case*, filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. Oral Argument Requested. (Attachments: # 1 Proposed Order) Noting Date 4/17/2024, (Sanders, James) (Entered: 04/17/2024)

103 DECLARATION of James Sanders filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 102 TELEPHONIC MOTION *Withdraw as Counsel and Temporarily Stay the Case* (Sanders, James) (Entered: 04/17/2024)

104 MOTION for Relief *from Deadlines*, filed by Defendants Alderwood Surgical Center

LLC, Northwest Nasal Sinus Center PS, Javad Sajan. Oral Argument Requested. (Attachments: # 1 Proposed Order) Noting Date 4/26/2024, (Sanders, James) (Entered: 04/17/2024)

105 DECLARATION of James Sanders filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 104 MOTION for Relief *from Deadlines* (Sanders, James) (Entered: 04/17/2024)

106 RESPONSE, by All Defendants, to 94 MOTION for Protective Order *Regarding Defendants' Notice of FRCP 30(b)(6) Deposition*. (Attachments: # 1 Proposed Order) (Nelson, Kyle) (Entered: 04/17/2024)

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107 DECLARATION of James Sanders in Support of Opposition to Motion for Protective Order filed by All Defendants re 94 MOTION for Protective Order *Regarding Defendants' Notice of FRCP 30(b)(6) Deposition* (Attachments: # 1 Exhibit 1-10, # 2 Exhibit 11-17, # 3 Exhibit 18-23, # 4 Exhibit 24, # 5 Exhibit 25)(Nelson, Kyle) (Entered: 04/17/2024)

Set Hearing: Telephonic Hearing set for 4/19/2024 at 10:30 AM before Judge Ricardo S. Martinez. Counsel provided dial-in information via email. (LC) (Entered: 04/18/2024)

04/18/2024 108 PRAECIPE to attach document (Corrected Declaration of James Sanders and Exhibits (Corrected 20 and 24)) re 107 Declaration, by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan (Attachments: # 1 Revised Declaration of James Sanders, # 2 Exhibit 1-10, # 3 Exhibit 11-17, # 4 Exhibit 18-23, # 5 Exhibit 24, # 6 Exhibit 25)(Sanders, James) (Entered: 04/18/2024)

04/18/2024 109 RESPONSE, by Plaintiff State of Washington, to 102 TELEPHONIC MOTION *Withdraw as Counsel and Temporarily Stay the Case*. (Geyman, Matthew) (Entered: 04/18/2024)

04/18/2024 110 DECLARATION of Matt Geyman filed by Plaintiff State of Washington re 102 TELEPHONIC MOTION *Withdraw as Counsel and Temporarily Stay the Case* (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Geyman, Matthew) (Entered: 04/18/2024)

04/19/2024 111 REPLY, filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, TO RESPONSE to 102 TELEPHONIC MOTION *Withdraw as Counsel and Temporarily Stay the Case* (Sanders, James) (Entered: 04/19/2024)

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112 DECLARATION of James Sanders filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 102 TELEPHONIC MOTION *Withdraw as Counsel and Temporarily Stay the Case* (Sanders, James) (Entered: 04/19/2024)

113 NOTICE of Appearance by attorney Michael Rosenberger on behalf of Interested Party Perkins Coie LLP. (Rosenberger, Michael) (Entered: 04/19/2024)

114 MINUTE ENTRY for proceedings held before Judge Ricardo S. Martinez- Dep Clerk: Laurie Cuaresma; Pla Counsel: Matt Geyman, Bret Findelstein, Laura Clinton, Eric Newman; Def Counsel: James Sanders, Michael Rosenberger, Jon Buck; CR: Nancy Bauer; Time of Hearing: 10:30 AM; **TELEPHONIC Motion Hearing** held on 4/19/2024 re 102 TELEPHONIC MOTION *Withdraw as Counsel and Temporarily Stay the Case* filed by Alderwood Surgical Center LLC, Javad Sajan, Northwest Nasal Sinus Center PS. Court hears argument of counsel and takes matter under advisement. An order will be issued as soon as possible. (LC)

(Entered: 04/19/2024)

115 REPLY, filed by Plaintiff State of Washington, TO RESPONSE to 94 MOTION for Protective Order *Regarding Defendants' Notice of FRCP 30(b)(6) Deposition* (Brysacz, Ben) (Entered: 04/19/2024)

116 Supplemental DECLARATION of Ben Brysacz filed by Plaintiff State of Washington re 94 MOTION for Protective Order *Regarding Defendants' Notice of FRCP 30(b)(6) Deposition* (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Brysacz, Ben) (Entered: 04/19/2024)

117 ORDER granting in part Defendants' 102 TELEPHONIC MOTION to Withdraw as Counsel. Defense counsel from Perkins Coie is permitted to withdraw, but their representation shall continue until Defendants' new outside counsel makes an appearance or until Defendants' in-house counsel consents to try this case alone. The discovery cutoff, currently set for 5/13/2024, is extended to 5/27/2024. No other deadlines are

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extended or continued. Trial remains set for 9/9/2024. Defendants' Motion for Relief from Deadlines, Dkt. # 104, is STRICKEN as duplicative and moot. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 04/19/2024)

Attorney Katherine S Wan added for Perkins Coie LLP, per Interested Party's 113 Notice of Appearance. (SB) (Entered: 04/22/2024)

118 TELEPHONIC MOTION *for Relief from Deadline to Respond to Sanctions Motion*, filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. Oral Argument Requested. (Attachments: # 1 Proposed Order) Noting Date 4/24/2024, (Sanders, James) (Entered: 04/24/2024)

04/24/2024 119 RESPONSE, by Plaintiff State of Washington, to 118 TELEPHONIC MOTION *for Relief from Deadline to Respond to Sanctions Motion*. (Finkelstein, Bret) (Entered: 04/24/2024)

04/24/2024 120 DECLARATION of Bret Finkelstein filed by Plaintiff State of Washington re 118

TELEPHONIC MOTION *for Relief from Deadline to Respond to Sanctions Motion*
(Attachments: # 1 Exhibit Exhibit A)(Finkelstein, Bret) (Entered: 04/24/2024)

04/25/2024 121 ORDER denying Defendants' 118 MOTION for Relief from Deadline to Respond to
Sanctions Motion. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 04/25/2024)

04/29/2024 122 RESPONSE, by Plaintiff State of Washington, to 99 MOTION to Compel *Privilege Log
and Production of Withheld Investigation Documents*. (Brysacz, Ben)
(Entered: 04/29/2024)

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123 DECLARATION of Ben Brysacz filed by Plaintiff State of Washington re 99 MOTION
to Compel *Privilege Log and Production of Withheld Investigation Documents*
(Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6
Exhibit F, # 7 Exhibit G)(Brysacz, Ben) (Entered: 04/29/2024)

124 DECLARATION of Laura Clinton filed by Plaintiff State of Washington re 99 MOTION to
Compel *Privilege Log and Production of Withheld Investigation Documents* (Brysacz, Ben) (Entered:
04/29/2024)

125 RESPONSE, by Interested Party Perkins Coie LLP, to 96 Second MOTION for Sanctions
. (Rosenberger, Michael) (Entered: 04/29/2024)

126 DECLARATION of James Sanders filed by Interested Party Perkins Coie LLP re 96
Second MOTION for Sanctions (Attachments: # 1 Exhibit 1-5)(Rosenberger, Michael) (Entered: 04/29/2024)

04/29/2024 127 DECLARATION of Cara Wallace filed by Interested Party Perkins Coie LLP re 96
Second MOTION for Sanctions (Attachments: # 1 Exhibit 1-6, # 2 Exhibit 7-12) (Rosenberger, Michael)
(Entered: 04/29/2024)

04/29/2024 128 RESPONSE, by All Defendants, to 96 Second MOTION for Sanctions. (O'Leary, Erin)
(Entered: 04/29/2024)

04/29/2024 129 DECLARATION of Javad Sajan, MD filed by All Defendants re 96 Second MOTION for Sanctions (O'Leary, Erin) (Entered: 04/29/2024)

04/29/2024 130 DECLARATION of Erin M O'Leary filed by All Defendants re 96 Second MOTION for Sanctions (O'Leary, Erin) (Entered: 04/29/2024)

04/30/2024

131 ORDER denying Plaintiff's 82 Motion to Compel. The Court notes that Allure has waived the attorney-client privilege over communications between Smith, Wright, Prado, and Dr. Sajan (and any others) disclosed in Smith's unemployment hearing and should permit questions and produce any documents it has withheld or redacted on privilege grounds contrary to this ruling. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 04/30/2024)

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132 ORDER granting in part Plaintiff's 94 Motion for Protective Order as stated herein.
Signed by Judge Ricardo S. Martinez. (SB) (Entered: 04/30/2024)

133 MOTION for Leave to File Over-length Motions and Briefs *and Joint Reply Brief*, filed by Plaintiff State of Washington. (Attachments: # 1 Proposed Order) Noting Date 4/30/2024, (Geyman, Matthew) (Entered: 04/30/2024)

134 PRAECIPE re 130 Declaration, 128 Response to Motion, 129 Declaration of Javad Sajan, MD by All Defendants (Attachments: # 1 Defendants' Opposition in Response to State's Motion for Sanctions, # 2 Sajan Declaration ISO of Defendants' Opposition in Response to State's Motion for Sanctions)(O'Leary, Erin) (Entered: 04/30/2024)

135 ORDER granting Plaintiff's 133 Motion for Leave to File Combined, Overlength Reply.

The State may file a combined Reply to Defendants' and Perkins Coie's Responses to the State's Second Motion for Sanctions of up to 4,200 words. Signed by Judge Ricardo S. Martinez. (SB) (Entered: 05/01/2024)

05/03/2024 136 REPLY, filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, TO RESPONSE to 99 MOTION to Compel *Privilege Log and Production of Withheld Investigation Documents* (Attachments: # 1 Proposed Order) (Sanders, James) (Entered: 05/03/2024)

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137 DECLARATION of Kyle D. Nelson filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 99 MOTION to Compel *Privilege Log and Production of Withheld Investigation Documents* (Attachments: # 1 Exhibit A-H) (Sanders, James) (Entered: 05/03/2024)

138 DECLARATION of Reina Almon-Griffin filed by Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan re 99 MOTION to Compel *Privilege Log and Production of Withheld Investigation Documents* (Sanders, James) (Entered: 05/03/2024)

139 Supplemental DECLARATION of Matt Geyman filed by Plaintiff State of Washington re 96 Second MOTION for Sanctions (Attachments: # 1 Exhibit A-D, # 2 Exhibit E-H, # 3 Exhibit I-L, # 4 Exhibit M-P)(Finkelstein, Bret) (Entered: 05/03/2024)

140 DECLARATION of Zorba Leslie filed by Plaintiff State of Washington re 96 Second MOTION for Sanctions (Attachments: # 1 Exhibit A-D, # 2 Exhibit E-H, # 3 Exhibit I-L, # 4 Exhibit M-P, # 5 Exhibit Q-T, # 6 Exhibit U-Z)(Finkelstein, Bret) (Entered: 05/03/2024)

05/03/2024 141 REPLY, filed by Plaintiff State of Washington, TO RESPONSE to 96 Second MOTION for Sanctions (Geyman, Matthew) (Entered: 05/03/2024)

05/05/2024 142 NOTICE of Intent to File Surreply re 141 Reply to Response to Motion; filed by

Interested Party Perkins Coie LLP. (Rosenberger, Michael) (Entered: 05/05/2024)

05/06/2024 143 PROPOSED ORDER (Unsigned) re 141 Reply to Response to Motion (Geyman, Matthew) (Entered: 05/06/2024)

05/07/2024

05/07/2024

144 NOTICE of Appearance by attorney Steven W Fogg on behalf of Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan, Interested Party Perkins Coie LLP. (Fogg, Steven) Modified to strike IP on 5/9/2024 (MJV). (Entered: 05/07/2024)

145 NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Tiffany L Lee; Kyle Nelson; James Sanders; Cara V. Wallace; Reina A Almon-Griffin and Amanda J Beane for

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WAWD CM/ECF Version 1.7.0.2

Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan. (Almon-Griffin, Reina) (Entered: 05/07/2024)

146 NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Erin O'Leary for All Defendants.
(O'Leary, Erin) (Entered: 05/08/2024)

147 SURREPLY filed by Interested Party Perkins Coie LLP re 96 Second MOTION for Sanctions (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3) (Rosenberger, Michael) (Entered: 05/08/2024)

Attorney Blake Edward Marks-Dias added for Defendants Alderwood Surgical Center LLC, Northwest Nasal Sinus Center PS, Javad Sajan; per 144 Notice of Appearance. (MJV) (Entered: 05/09/2024)

148 ORDER denying in part Defendant's 99 Motion to Compel. The Court will set this matter for oral argument to discuss when Plaintiff reasonably anticipated litigation and Defendants' substantial need for these materials only. The parties will be contacted by the Courts in-court deputy clerk to schedule a hearing date. Signed by Judge Ricardo S. Martinez. (MJV) (Entered: 05/09/2024)

Set Hearing: Oral argument on defendants' Motion to Compel [Dkt #99] is set for 5/24/2024 at 10:00 AM in Courtroom 13206 (13B) before Judge Ricardo S. Martinez. (LC) (Entered: 05/10/2024)

05/14/2024 149 Stipulated MOTION *Extending Discovery Cutoff*, filed by Plaintiff State of Washington. Noting Date 5/14/2024, (Finkelstein, Bret) (Entered: 05/14/2024)

05/15/2024

05/17/2024

05/24/2024

150 ORDER granting Parties 149 Stipulated MOTION *Extending Discovery Cutoff*.
Discovery to be completed by 6/10/2024, Dispositive motions due by 6/18/2024. Signed by Judge Ricardo S. Martinez. (MJV) (Entered: 05/15/2024)

Reset Hearing: Oral argument on defendants' Motion to Compel [Dkt #99] is continued to 5/29/2024 at 10:00 AM in Courtroom 13206 (13B) before Judge Ricardo S. Martinez. (LC) (Entered: 05/17/2024)

Pursuant to notification from the parties that this matter has settled, oral argument set on 5/29/2024 at 10:00 AM is STRICKEN. (LC) (Entered: 05/24/2024)

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