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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON,

Plaintiff,

v.

AVTECH DIRECT, et al.,

Defendants.

CASE NO. C04-2171RSM

ORDER ON MOTION FOR
ADDITIONAL DISCOVERY

This matter is before the Court for consideration of plaintiff’s motion for leave to serve additional interrogatories and for an order enlarging the time for discovery and dispositive motions. Defendants MD & I Corporation and Min Hui Zhao have opposed the motion, but the *pro se* defendants Arlene Grant and Gary Hunziker have not responded. For the reasons which follow, the motion is GRANTED IN PART and DENIED IN PART.

This case has been complicated by the withdrawal of counsel for defendants. Although new counsel has now appeared for defendants MD & I Corporation and Min Hui Zhao, the two individual defendants are *pro se*. Defendants answered interrogatories and were deposed during the time when they were without counsel. Plaintiff now seeks leave to submit additional interrogatories and to re-open discovery so that further discovery may be conducted. Plaintiff contends that additional interrogatories are necessary due to Ms. Grant’s late production of documents, which have raised further questions to be asked of defendants. Plaintiff also seeks an extension of the deadlines for filing dispositive motions and for Rule 39.1 mediation. Defendants Min Hui Zhao and MD & I Corporation have opposed the motion as to the additional interrogatories, but not as to the deadline extensions requested.

1 As to defendants Grant and Hunziker, the motion for leave to submit additional interrogatories is
2 unopposed and is accordingly GRANTED. The motion for leave to submit additional interrogatories to
3 defendants MD & I Corporation and Min Hui Zhao is DENIED. These defendants are, however, under
4 a continuing duty, pursuant to F.R.Civ. Proc. 26(e) to supplement or amend previous responses if they
5 are incomplete or incorrect. Counsel for these defendants shall review the previously submitted
6 responses to ensure compliance with this rule.

7 No defendant has opposed the request for extension of deadlines, and the Court finds that in light
8 of the delays that have occurred in this case such extension is appropriate. However, the requested new
9 deadlines will necessitate moving the trial date as well. Accordingly, the scheduling order entered March
10 11, 2005 (Dkt. # 11) is VACATED, and new dates for pretrial deadlines set as follows: deadline for
11 discovery shall be March 1, 2006; dispositive motions shall be filed by April 7, 2006, and Rule 39.1
12 mediation shall be completed by May 26, 2006. The new trial date shall be July 24, 2006. A new
13 scheduling order with the remaining pretrial dates (for motions in limine, pretrial order, trial briefs and
14 proposed findings and conclusions) shall be entered by the Clerk.

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16 DATED this 11 day of January 2006.

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19 RICARDO S. MARTINEZ
20 UNITED STATES DISTRICT JUDGE
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