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Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON,)
)
 Plaintiff,)
)
 vs.)
)
 AVTECH DIRECT, also doing business as)
 AVTECH COMPUTERS and)
 EDUCATIONAL PURCHASING SERVICES;)
 ARLENE SEDIQZAD, manager of)
 AVTECH DIRECT, individually and on)
 behalf of her marital community; MD&I)
 CORPORATION, a California for-profit)
 corporation; and MIN HUI ZHAO, also)
 known as MICHAEL ZHAO, individually and)
 on behalf of his marital community,)
)
 Defendants.)
 _____)

NO. CV-04 2171RSM
JOINT STATUS REPORT

The parties hereto, by and through their counsel of record, and pursuant to the court's scheduling order, do hereby jointly represent as follows:

1. Nature and complexity of case: Plaintiff brought this action under the CAN-SPAM Act; the Washington Commercial Electronic Mail Act, and the Washington Consumer Protection Act. Plaintiff seeks a permanent injunction and other equitable relief, including damages, civil penalties, and attorneys' fees based on violations of said Acts.

2. Results of FRCP 26(f) conference: Counsel for parties already appearing in the lawsuit participated in an FRCP 26(f) conference on March 1, 2005. The parties have already

1 exchanged some documents pursuant to the rule governing initial discovery and have agreed to
2 exchange all initial disclosures no later than March 15, 2005.

3 3. Alternative Dispute Resolution (ADR): The parties are agreeable to mediation under
4 LR 39.1 and request a mediation deadline within two months following the close of discovery.

5 4. Proposed deadline for joinder of new parties: The parties presently do not anticipate
6 that any additional parties will be brought into the case. The deadline for adding new parties should
7 be August 1, 2005.

8 5. Discovery: Discovery is not expected to be extensive or difficult in this lawsuit.

9 A. The FRCP 26(f) discovery conference has taken place and counsel have agreed to
10 provide the initial disclosures under FRCP 26(a) by March 15, 2005.

11 B. Discovery will focus on the facts underlying plaintiff's claims and defenses
12 thereto.

13 C. No changes are required.

14 D. No specific limitations are required.

15 E. None.

16 6. Discovery cut-off: December 1, 2005.

17 7. Magistrate: No.

18 8. Bifurcation: No.

19 9. Pretrial Order: A pretrial order limited to identification of witnesses and exhibits
20 would be helpful.

21 10. Other suggestions: None.

22 11. Trial date: This case is expected to be ready for trial by May 15, 2006.

23 12. Trial: Trial will not be by jury.

24 13. Trial days: Trial should require no more than 8-10 days to complete.

25 14. Counsel: Plaintiff is represented by Paula Selis, Senior Counsel, Office of the
26 Attorney General, 900 Fourth Avenue, Suite 2000, Seattle, WA 98164; (206) 464-7744; defendants
27 Avtech Direct and Arlene Sediqzad, are represented by Bradley P. Scarp of Montgomery Scarp,

1 PLLC, Seattle Tower, 27th Floor, 1218 Third Avenue, Seattle, Washington 98101; (206) 625-1801;
2 defendants MD&I CORPORATION; and MIN HUI ZHAO, also known as MICHAEL ZHAO are
3 represented by Gordon Liu of Bullivant Houser Bailey, PC, 1601 Fifth Avenue, Suite 2300, Seattle,
4 WA 98101; (206) 292-8930

5 15. Service: No third-party defendants have been named or served.

6 16. A scheduling conference is not necessary prior to a scheduling order being entered.

7
8 DATED this 3rd day of March, 2005.

9 BULLIVANT HOUSER BAILEY, PLLC

OFFICE OF THE ATTORNEY GENERAL

10
11 s/ Gordon Liu

12 Gordon J. Liu, WSBA No. _____
13 Of attorneys for MD&I Defendants
14 Bullivant Houser Bailey PC
15 1601 Fifth Avenue, Suite 2300
16 Seattle, Washington 98101-1618
17 gordon.liu@bullivant.com

s/ Paula Selis

18 Paula Selis, WSBA 12823
19 Of attorneys for Plaintiff
20 Attorney General of Washington
21 Consumer Protection Division
22 900 Fourth Avenue, Suite 2000
23 Seattle, Washington 98164-1012
24 Paulas@atg.wa.gov

25
26 MONTGOMERY SCARP MacDOUGALL, PLLC

27 s/ Bradley Scarp

Bradley P. Scarp, WSBA No. 21453
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Of Attorneys for Avtech Defendants
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Brad@montgomeryscarp.com
John@montgomeryscarp.com

1 **CERTIFICATE OF SERVICE**

2 I am over the age of 18; and not a party to this action.

3 I hereby certify that on March 7th, 2005, I caused the foregoing Joint Status Report to be served
4 on all parties as it was electronically filed with the Clerk of the Court using the CM/ECF system which
5 will send notification of such filing to:

6 Paula Selis Paulas@atg.wa.gov
7 Attorney General of Washington
8 Consumer Protection Division
9 900 Fourth Avenue, Suite 2000
10 Seattle, Washington 98164-1012

Gordon J. Liu gordon.liu@bullivant.com
Bullivant Houser Bailey PC
1601 Fifth Avenue, Suite 2300
Seattle, Washington 98101-1618

9 DATED this 7th day of March, 2005.

10 s/ Bradley P. Scarp, WSBA 21453
11 Attorneys for Defendants
12 Montgomery Scarp MacDougall, PLLC
13 1218 Third Avenue, Suite 2700
14 Seattle, WA 98101
15 Phone: 206-625-1801
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