

DISCOVERY DISPUTES

Litigants are encouraged to use reasonable efforts to resolve discovery disputes without the Court's intervention. Where the discovery dispute is not time sensitive, litigants are encouraged to use LCR 37(a)(2)'s joint discovery motion process, and to file and note a unilateral discovery motion as a last resort.

For time sensitive discovery issues, parties may jointly email or call the Courtroom Deputy to schedule an expedited discovery conference. The parties should submit a short, joint document describing the nature of the dispute and the parties' respective positions, at least 24 hours before the conference. They can do so by email, though their submittal will typically be placed on the docket. Courtroom Deputy Mary Trent's email address is Mary_Trent@wawd.uscourts.gov. Her phone number is (253) 882-3824. Most discovery conferences are held by telephone or Zoom videoconference. All concerned parties must participate in the call. *See* LCR 7(i). If the dispute involves a complex legal question that cannot be resolved at the conference, the Court may order a briefing schedule.

For urgent discovery disputes (such as those arising during a deposition), the parties may call the Courtroom deputy and ask if Judge Settle is available to promptly resolve the issue. If he is not, the parties may ask to speak to a law clerk. While a law clerk cannot rule on a dispute, he or she may be able to clarify the issue, and perhaps provide insight on what Judge Settle might do in a later conference call with the Judge. If the issue cannot be resolved during the deposition, litigants are encouraged to complete the remainder of the deposition and seek a resolution of the outstanding issue in one of the ways described above.