



US DISTRICT COURT

Western District of Washington

Docket for Case # 2:17-cv-01692

Scott E. Stafne v. Thomas S. Zilly; John C. Coughenour;

Barry G. Silverman and Ty Trenary

Plaintiff: Scott E. Stafne

Defendants: Thomas S. Zilly
 John C. Coughenour
 Barry G. Silverman
 Ty Trenary

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| Date Filed | # | Docket Text |
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| 11/09/2017 | 1 | COMPLAINT against ALL Defendants with JURY DEMAND (Receipt # 0981-5086860) Attorney Scott E. Stafne added to part Scott E Stafne (pty:pla) Filed by Scott E. Stafne. (Attachments: # 1 Civil Cover Sheet, # 2 Summons, # 3 Summons, # 4 Summons, # 5 Summons, # 6 Exhibit 1, # 7 Exhibit 2) (Stafne, Scott) (Entered 11/09/2017) |
| 11/13/2017 | | Judge Robert S. Lasnik added. (DJ) (Entered: 11/13/2017) |
| 11/14/2017 | 3 | ORDER Directing Filing of Redacted Complaint, signed by Judge Robert S. Lasnik. (SWT) (Entered: 11/14/2017) |
| 11/15/2017 | 4 | ORDER REASSIGNING CASE. Case reassigned to the Honorable Michael H. Simon for all further proceedings. Judge Robert S. Lasnik no longer assigned to case, by Chief Judge Sidney R. Thomas. (KERR) (Entered: 11/16/2017) |

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| 11/16/2017 | 5 | Summons(es) Electronically Issued as to defendant(s) John C. Coughenour, Barry G. Silverman, Ty Trenary, Thomas S. Zilly. (Attachments: # 1 Summons, # 2 Summons, # 3 Summons) (ST) (Entered: 11/16/2017) |
| 11/16/2017 | 6 | RESPONSE by Plaintiff Scott E. Stafne re 3 Order (Stafne, Scott) (Entered: 11/16/2017) |
| 11/16/2017 | 7 | DECLARATION re 6 Response (non motion) by Plaintiff Scott E Stafne (Attachments # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Stafne, Scott) (Entered: 11/16/2017) |
| 11/16/2017 | 8 | DECLARATION of Pam Miller by Plaintiff Scott E. Stafne (Stafne, Scott) (Entered: 11/16/2017) |
| 12/14/2017 | 9 | AFFIDAVIT of Mailing of Summons and Complaint to Helen Joanne Brunner on 12/11/2017, filed by Plaintiff Scott E Stafne (Stafne, Scott) (Entered: 12/15/2017) |
| 01/94/2018 | 10 | MOTION TO Dismiss, filed by Defendant Ty Trenary, (Attachments: # 1 Proposed Order) Noting Date 1/26/2018, (Enns, Geoffrey) (Entered: 01/04/2018) |
| 01/05/2018 | 11 | NOTICE of Appearance by attorney Geoffrey A Enns on behalf of Defendant Ty Trenary. (Enns, Geoffrey) (Entered: 01/05/2018) |
| 1/12/2018 | 12 | NOTICE of Appearance by attorney Jared D Hager on behalf of Defendants John C Coughenour, Barry G Silverman, Thomas S Zilly. (Hager, Jared) (Entered: 01/12/2018) |
| 1/13/2018 | 13 | AFFIDAVIT of Service of Summons and Complaint on Ashley Trenary on 12/30/2017, filed by Plaintiff Scott E Stafne. (Stafne, Scott) (Entered: 01/13/2018) |
| 1/13/2018 | 14 | SERVICE OF SUMMONS Returned Unexecuted - attempted upon defendant Barry G Silverman. (Stafne, Scott) (Entered: 01/13/2018) |
| 1/13/2018 | 15 | SERVICE OF SUMMONS Returned Unexecuted - attempted upon defendant Barry G Silverman. (Stafne, Scott) (Entered: 01/13/2018) |
| 1/2/2018 | 16 | RESPONSE, by Plaintiff Scott E Stafne, to 10 MOTION to Dismiss . (Stafne, Scott) (Entered: 01/22/2018) |
| 1/22/2018 | 17 | DECLARATION of Scott E. Stafne filed by Plaintiff Scott E Stafne re 10 MOTION to Dismiss (Attachments: # 1 Exhibit A , # 2 Exhibit B)(Stafne, Scott) (Entered: 01/22/2018) |
| 1/24/2018 | 18 | REPLY, filed by Defendant Ty Trenary, TO RESPONSE to 10 MOTION to Dismiss (Attachments: # 1 Proposed Order)(Enns, Geoffrey) (Entered: 01/24/2018) |
| 2/6/2018 | 19 | MOTION to Dismiss <i>for Lack of Subject-Matter Jurisdiction and Failure to State a Claim</i> , filed by Defendants John C Coughenour, Barry G Silverman, Thomas S Zilly. Noting Date 3/2/2018, (Hager, Jared) (Entered: 02/06/2018) |
| 2/8/2018 | 20 | AFFIDAVIT of Service of Summons and Complaint on Barry G. Silverman on 1/22/2018, filed by Plaintiff Scott E Stafne. (Stafne, |

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| | | Scott) (Entered: 02/08/2018) |
| 2/20/2018 | 21 | RESPONSE, by Plaintiff Scott E Stafne, to 19 MOTION to Dismiss for <i>Lack of Subject-Matter Jurisdiction and Failure to State a Claim</i> . Oral Argument Requested. (Stafne, Scott) (Entered: 02/20/2018) |
| 03/02/2018 | 22 | REPLY, filed by Defendants John C Coughenour, Barry G Silverman, Thomas S Zilly, TO RESPONSE to [19] MOTION to Dismiss <i>for Lack of Subject-Matter Jurisdiction and Failure to State a Claim</i> (Hager, Jared) |
| 03/02/2018 | 23 | NOTICE of Supplemental Authority re [22] Reply to Response to Motion to Dismiss by Plaintiff Scott E Stafne (Attachments: # (1) Exhibit 1 , # (2) Exhibit 2)(Stafne, Scott) |
| 03/08/2018 | 24 | ORDER - Setting Oral Argument on Defendants' Motions to Dismiss (ECF 10) & [19] for 5/10/2018 at 2:00PM in Portland, Courtroom 15B, before Judge Michael H. Simon. Counsel wishing to appear by phone should contact Judge Simon's Courtroom Deputy Mary Austad for the call-in number by sending an email to Mary_Austad@ord.uscourts.gov . Ordered by Michael H Simon. (MA) |
| 04/05/2018 | 25 | MOTION to Stay DISTRICT COURT PROCEEDINGS PENDING RESOLUTION OF APPEAL IN LUCIA v SECURITIES AND EXCHANGE COMMISSION, filed by Plaintiff Scott E Stafne. Noting Date 4/13/2018, (Stafne, Scott) |
| 04/6/2018 | 26 | MINUTE ORDER - Defendants' responses to Plaintiff's Motion to Stay (ECF 25) is due April 12, 2018, and Plaintiff's optional reply is due April 19, 2018. The Court anticipates promptly ruling on the pending Motion to Stay after April 19 without oral argument. Ordered by Judge Michael H. Simon (MA) |
| 04/06/2018 | 27 | RESPONSE, by Defendant Ty Trenary, to [25] MOTION to Stay DISTRICT COURT PROCEEDINGS PENDING RESOLUTION OF APPEAL IN LUCIA v SECURITIES AND EXCHANGE COMMISSION. (Enns, Geoffrey) |
| 04/09/2018 | 28 | REPLY, filed by Plaintiff Scott E Stafne, TO RESPONSE to [25] MOTION to Stay DISTRICT COURT PROCEEDINGS PENDING RESOLUTION OF APPEAL IN LUCIA v SECURITIES AND EXCHANGE COMMISSION (Stafne, Scott) |
| 04/11/2018 | 29 | RESPONSE, by Defendants John C Coughenour, Barry G Silverman, Thomas S Zilly, to [25] MOTION to Stay DISTRICT COURT PROCEEDINGS PENDING RESOLUTION OF APPEAL IN LUCIA v SECURITIES AND EXCHANGE COMMISSION. (Hager, Jared) |
| 04/12/2018 | 30 | REPLY, filed by Plaintiff Scott E Stafne, TO RESPONSE to [25] MOTION to Stay DISTRICT COURT PROCEEDINGS PENDING RESOLUTION OF APPEAL IN LUCIA v SECURITIES AND EXCHANGE COMMISSION (Stafne, Scott) |
| 04/13/2018 | 31 | MOTION Request for Judicial Notice, filed by Plaintiff Scott E Stafne. |

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| | | Noting Date 5/4/2018, (Stafne, Scott) |
| 04/16/2018 | 32 | ORDER - Plaintiff's Motion to Stay District Court Proceedings Pending Resolution of Appeal in Lucia v. Securities and Exchange Commission (ECF [25]) is DENIED. A stay of proceedings does not appear to be necessary at this time. The Court, however, STRIKES the hearing date currently set for the two pending motions to dismiss (ECF [10] and ECF [19]) on Thursday, May 10, 2018, at 2:00 p.m. and RESETS oral argument on those two motions for Thursday, July 12, 2018, at 2:00 p.m. The place of the hearing, Courtroom 15B of the Mark O. Hatfield United States Courthouse in Portland, Oregon, remains unchanged. Further, not later than July 6, 2018, each party may file a supplemental brief not longer than ten pages addressing the implications for the pending action, if any, from the case of Lucia v. Securities and Exchange Commission now pending before the United States Supreme Court in Case No. 17-130. signed by 4/16/2018 Michael H Simon.(MA) |
| 04/16/2018 | 33 | Order - Having been informed that no party objects, the Court GRANTS Plaintiff's Request for Judicial Notice (ECF [31]). Signed by 4/16/2018 by Judge Michael H Simon.(MA) |
| 06/08.2018 | 34 | NOTICE of Unavailability of counsel Scott E Stafne for Plaintiff Scott E Stafne from 06/13/2018 - 06/22/2018. (Stafne, Scott) |
| 06/29/2018 | 35 | Supplemental BRIEF by Defendants John C Coughenour, Barry G Silverman, Thomas S Zilly (Hager, Jared) |
| 7/6/2018 | 36 | Supplemental Brief re 10 MOTION to Dismiss by Defendant Ty Trenary (Enns, Geoffrey) (Entered: 07/06/2018) |
| 7/6/2018 | 37 | DISREGARD THIS FILING – filed in error per counsel. Correctly filed as 38 SUPPLEMENT re 19 MOTION to Dismiss <i>for Lack of Subject Matter Jurisdiction and Failure to Stat a Claim Supplemental Brief Addressing Implications of Lucia v SEC On This Case</i> by Plaintiff Scott E. Stafne (Attachments: #1 Exhibit Exhibit A)(Stafne, Scott) Modified on 7/9/2018 (PS) (Entered: 07/09/2018) |
| 7/6/2018 | 38 | SUPPLEMENT re 19 MOTION to Dismiss <i>for Lack of Subject-Matter Jurisdiction and Failure to State a Claim Supplemental Brief Addressing Implications of Lucia v SEC on This Case</i> by Plaintiff Scott E Stafne (Attachments: #1 Exhibit A)(Stafne, Scott)(Entered 07/06/1028) |
| 7/92018 | 39 | DISREGARD THIS FILING-filed in error per counsel. Correctly filed as 42 NOTICE of Supplemental Authority re 10 MOTION to Dismiss by Plaintiff Scott E Stafne (Stafne, Scott) Modified on 7/9/2018 (PS). (Entered: 07/09/2018) |

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| 7/9/2018 | 40 | NOTICE of Lack of Subject Matter Jurisdiction over Snohomish County Sheriff Ty Trenary; FILED BY Plaintiff Scott E Stafne (Stafne, Scott) (Entered 07/09/2018) |
| 7/9/2018 | 41 | DECLARATION of Scott Stafne filed by Plaintiff Scott E Stafne re 10 MOTION to Dismiss (Attachments: #1 Exhibit 1 , #2 Exhibit 2 , #3 Exhibit 3)(Stafne, Scott) (Entered: 07.09.2018) |
| 7/9/2018 | 42 | NOTICE of Supplemental Authority re 10 MOTION to Dismiss by Plaintiff Scott E Stafne (Stafne, Scott) (Entered: 07/09/2018) |
| 7/12/2018 | 43 | MINUTES OF ORAL ARGUMENT HEARING: Order – Defendants’ Motions to Dismiss (ECF 10 & 19) are taken under advisement on 7/12/2018. Pla Counsel: <i>Scott E. Stafne pro se</i> ; Def Counsel: <i>Jared D. Hager and Geoffrey A. Enns</i> ; CR: <i>Dennis Apodaca</i> ; Time of Hearing: 2:00PM; Courtroom: <i>Courtroom 15B</i> Dep Clerk: <i>gm</i> . Judge Michael H. Simon presiding. (MA) (Entered: 07/16/2018) |
| 7/16/2018 | 44 | TRANSCRIPT REQUEST by Plaintiff Scott E Stafne for proceedings held on 7/12/2018 Requesting Attorney: Scott E Stafne (Stafne, Scott) (Entered: 07/16/2018) |
| 7/16/2018 | 45 | REQUEST by Plaintiff Scott E Stafne for Judicial Notice re: Pending Motion to Dismiss re 19 MOTION to Dismiss for Lack of Subject-Matter Jurisdiction and Failure to State a Claim, 10 MOTION to Dismiss(Attachments: # (1) Exhibit)(Stafne, Scott) |
| 7/16/2018 | 46 | REQUEST by Plaintiff Scott E Stafne for Judicial Notice re: Pending Motion to Dismiss re 19 MOTION to Dismiss for Lack of Subject-Matter Jurisdiction and Failure to State a Claim, 10 MOTION to Dismiss (Attachments: # (1) Exhibit)(Stafne, Scott) |
| 8/1/2018 | 47 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing held on 7/12/2018 before Judge Michael H Simon. 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 Dennis Apodaca, 503-326-8182. Release of Transcript Restriction set for 10/29/2018, (SG) |
| 10/9/18 | 48 | Opinion and Order |