

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

EMPLOYERS MUTUAL CASUALTY)	
COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:11-cv-00643-MEF
)	
CARL HOBBS CONSTRUCTION)	(WO – Do Not Publish)
COMPANY, INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This cause is before the Court on Defendants Carl Hobbs Construction Company, Inc., Carl Hobbs, Donald Trawick, and Hobbs & Trawick d/b/a Carl Hobbs Construction Company, Inc.’s (collectively, the “Construction Company Defendants”) Partially Opposed Motion to Continue Trial. (Doc. #61.) Upon consideration of the record as a whole, the Court finds that the Construction Company Defendants’ Partially Opposed Motion to Continue Trial is due to be DENIED.

The Federal Rules of Civil Procedure provide that a schedule, such as the Uniform Scheduling Order (“USO”) in this case, “may be modified only for good cause and with the judge’s consent,” Fed. R. Civ. P. 16(b)(4), and continuing the trial of this case until the next non-jury docket would constitute a modification of the USO.

The Court finds that the Construction Company Defendants have not shown good cause for a continuation of trial. Therefore, the Court finds the Construction Company Defendants' Partially Opposed Motion to Continue Trial is due to be and hereby is DENIED.

DONE this the 17th Day of October, 2012.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE