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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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David B. Jones,

No. CV-07-775-PHX-SMM

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Plaintiff,

**ORDER**

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v.

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Wal-Mart Stores, Inc., Wal-Mart Stores  
East, L.P.,

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Defendants.

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Before the Court is the parties' Joint Motion to Continue (Dkt. 34). The parties state that they have engaged in written discovery and anticipate taking five to six depositions after completing written discovery and document review. The parties further state that they will not be able to complete written discovery and conduct depositions by the current discovery cutoff deadline of September 19, 2008.

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The Scheduling Order in this case expressly stated that it "contemplates that each party will conduct discovery in such a manner as to complete, within the deadline, any and all discovery. 'Last minute' or 'eleventh hour' discovery which results in insufficient time to undertake additional discovery and which requires an extension of the discovery deadline will be met with disfavor . . . ." (Dkt. 20, Order dated Jan. 8, 2008 at 2-3.) The parties have been aware of the discovery and dispositive motion deadlines since the Preliminary Pretrial Conference. Inability to complete discovery within the deadline does

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1 not constitute good cause for extension, and no other justification is provided for the  
2 requested extension.

3 Accordingly,

4 **IT IS HEREBY ORDERED** denying the parties' Joint Motion to Continue. (Dkt.  
5 34.) The deadlines set forth in the Scheduling Order shall remain in effect.

6 DATED this 9th day of September, 2008.

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Stephen M. McNamee  
United States District Judge