

1 2016, on the basis that the parties had not established good cause for modification of the
2 scheduling order. (Doc. 166).

3 On March 4, 2016, the parties filed the instant stipulation for extension of time. (Doc.
4 167). On the question of good cause, the parties stated that “There is **good cause** for this
5 stipulation in that it is in furtherance of the resolution of the former dispute about the right of
6 Defendant Deerbrook Insurance to take the deposition of Plaintiff Cedar Sol Warren at all,”
7 bolding the words “good cause,” and citing to previous orders of the Court. Again, the parties did
8 not include any explanation for why previous deadlines were not met or why an extension is
9 needed.

10 Fed. R. Civ. P. 16(b)(2) and (3) requires district courts to enter scheduling orders to
11 establish deadlines for, among other things, “to file motions” and “to complete discovery.” A
12 modification of the scheduling order requires a showing of good cause. Fed. R. Civ. P. 16(b)(4).
13 Scheduling orders “are at the heart of case management,” *Koplve v. Ford Motor Co.*, 795 F.2d 15,
14 18 (3rd Cir.1986), and are intended to alleviate case management problems. *Johnson v. Mammoth*
15 *Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir.1992). “[A] schedule may be modified ‘if it cannot
16 be reasonably met despite the diligence of the party seeking the extension.’” *Zivkovic v. Southern*
17 *California Edison Co.*, 302 F. 3d 1080, 1087 (9th Cir. 2002) quoting *Johnson v. Mammoth*
18 *Recreations, Inc.*, 975 F. 2d 604, 607 (9th Cir. 1992)).

19 This case is almost five years old. It stems from an automobile accident that occurred in
20 2000. The Court has previously expressed its concern that the case must move expeditiously.
21 The parties’ recent filings, requesting extensions for deadlines already passed and omitting any
22 reason for the extension, takes away the Court’s ability to manage the schedule in this case.

23 With reluctance, the Court will modify the schedule as follows. That said, additional
24 requests to change the schedule will be extremely disfavored.

25 Accordingly, the parties’ stipulation (Doc. 167) is adopted IN PART. The scheduling
26 order issued on January 25, 2016 (Doc. 165) is modified as set forth below:

27 1. The current deadline of February 15, 2016, for Plaintiff Cedar Sol Warren to serve
28 expert reports is hereby extended to **March 7, 2016**.

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2. The current March 31, 2016, deadline to take depositions of Warren's experts shall be extended to **April 8, 2016**.

3. The current May 2, 2016, deadline to serve rebuttal expert reports shall be extended to **May 6, 2016**.

All other dates and orders in the Scheduling Order issued on January 25, 2016 (Doc. 165) remain in full force and effect.

IT IS SO ORDERED.

Dated: March 7, 2016

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE