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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PACIFIC MARINE CENTER, INC., A
California Corporation, and SONA
VARTANIAN, an individual,

Plaintiffs,

v.

PHILADELPHIA INDEMNITY INSURANCE
COMPANY, a Pennsylvanian Corporation, and
DOES 1 through 10, inclusive,

Defendants.

Case No. 1:13-cv-00992-AWI-SKO

**ORDER DENYING PARTIES'
STIPULATED REQUEST TO MODIFY
THE PRETRIAL SCHEDULING
DEADLINES**

(Doc. No. 59)

On November 13, 2015, the parties filed their 6th stipulation and request for a schedule modification -- less than one month after their most recent request to modify the schedule. (Doc. 59.)

1 The parties indicate they "are having substantial difficulty in scheduling depositions of
2 [expert] witnesses in part because of the Thanksgiving vacation period and have agreed to seek the
3 extensions" (Doc. 59.) The most recent request for a schedule modification was made on
4 October 21, 2015, when the parties specifically requested an expert discovery cutoff of December
5 3, 2015. They now state this schedule is apparently unworkable because of the upcoming
6 holidays.

7 This latest request for additional time to complete expert discovery is not supported by
8 good cause, and appears to be the product of a routine scheduling conflict that could have been
9 foreseen. The parties may stipulate among themselves to conduct discovery outside the deadlines,
10 should they be so inclined, but the Court will not extend the scheduling deadlines to accommodate
11 the parties' lack of planning. *Johnson v. Mammoth Rec., Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)
12 ("carelessness is not compatible with a finding of diligence and offers no reason for a grant of
13 relief" to modify the pretrial schedule). As such, this request is denied.

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15 IT IS SO ORDERED.

16 Dated: November 16, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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