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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

G.P.P., INC. d/b/a GUARDIAN
INNOVATIVE SOLUTIONS,

Plaintiff,

v.

GUARDIAN PROTECTION PRODUCTS,
INC., RPM WOOD FINISHES GROUP,
INC.,

Defendants.

Case No. 1:15-cv-00321-SKO

**ORDER EXTENDING DEADLINE FOR
REOPENED DISCOVERY AND
CONTINUING PRETRIAL
CONFERENCE**

GUARDIAN PROTECTION PRODUCTS,
INC.,

Counterclaimant,

v.

G.P.P., INC. d/b/a GUARDIAN
INNOVATIVE SOLUTIONS,

Counter-defendant.

1 On July 31, 2020, the Court observed that since both Plaintiff/Counter-defendant G.P.P.,
2 Inc. d/b/a Guardian Innovative Solutions (“GIS”)’s motion for reconsideration (Doc. 379) and
3 Defendant/Counterclaimant Guardian Protection Products, Inc. (“Guardian”)’s ex parte motion to
4 modify the scheduling order (Doc. 380) sought permission to conduct discovery beyond the
5 discovery deadline of August 7, 2020, the parties have “effectively requested the Court to enlarge
6 the discovery deadline.” (Doc. 382.) The Court ordered the parties to meet and confer to reach an
7 agreement on such deadline and, if they could not agree, to file a joint statement of no more than
8 five pages in length, setting forth their meet and confer efforts and respective positions. (*See id.* at
9 2–3.) Because the Court granted the parties’ effective request to enlarge the deadline, and ordered
10 the parties to attempt to agree on the enlargement, Guardian’s ex parte motion to modify the
11 scheduling order was denied as moot. (*See id.* at n.1.)

12 On August 7, 2020, the parties timely filed a joint statement indicating that they could not
13 agree upon a new discovery deadline. (Doc. 384.) GIS takes the position that “[i]t is not necessary
14 to extend fact discovery beyond the current deadline” and “the Court should maintain the current
15 schedule.” (*Id.* at 2, 4.) The “current schedule” cannot be maintained, however, because the
16 discovery deadline has now passed. Moreover, GIS acknowledges that, should the Court grant its
17 motion for reconsideration, discovery would *need to be reopened*, albeit “for the narrow purpose of
18 ordering Guardian to produce the data sought by GIS’s May 29 document request.” (*Id.* at 2.)

19 Guardian’s position is that “an extension of the current discovery cut-off by at least 90 days
20 is necessary for it to complete discovery and file any necessary motions to permit it to conduct this
21 discovery in the first place.” (Doc. 384 at 6–7.)

22 In view of the parties’ inability to agree on an enlarged deadline that they effectively
23 requested, and were granted, and considering each party’s respective basis for such request, the
24 Court finds that **60 days** is a reasonable extension from the now-expired August 7, 2020 re-opened
25 discovery deadline. Such extension will accommodate GIS’s need for re-opened discovery in the
26 event its motion for reconsideration is granted, and it will also allow for Guardian to propound the
27 discovery it claims is necessary. To the extent any disputes arise concerning whether discovery
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