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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENDRIK BLOCK,

Plaintiff,

v.

STARBUCKS CORPORATION, aka
STARBUCKS COFFEE COMPANY, dba
STARBUCKS STORE #7939;
MATHEWS AND ASSOCIATES-2, LLC,

Defendants.

No. 15-cv-00991-DAD-EPG

ORDER CONTINUING EXPERT
DISCOVERY

(Doc. No. 40)

Before the court is the parties’ stipulation to continue expert discovery. (Doc. No. 40.) Expert Kim Blackseth’s original deposition had been re-noticed for January 18, 2017. (*Id.* at ¶ 2.) However, Mr. Blackseth was unexpectedly hospitalized on January 17, 2017. (*Id.*) The parties have agreed to continue Mr. Blackseth’s deposition to April 5, 2017. (*Id.* at ¶ 3.)

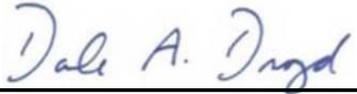
Federal Rule of Civil Procedure 16(b)(4) provides, “a schedule may be modified only for good cause and with the judge’s consent.” The focus of the “good cause” inquiry considers the moving party’s diligence and reasons for seeking modification. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

Accordingly, the court finds that good cause exists to continue the expert discovery deadline to April 7, 2017 to accommodate the new date for Mr. Blackseth’s deposition. The court’s amended scheduling order (Doc. No. 38) is hereby modified to reflect that all expert

1 discovery shall now be completed¹ no later than April 7, 2017. All other dates, including those
2 for the last day for law and motion to be heard, pretrial conference and jury trial established by
3 the court's December 22, 2016 amended scheduling order remain in full force and effect.

4 IT IS SO ORDERED.

5 Dated: February 9, 2017


6 UNITED STATES DISTRICT JUDGE

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27 ¹ "Completed" in this sense means that any disputes which may arise with respect to expert
28 discovery be resolved, if necessary by the assigned magistrate judge, sufficiently far enough in
advance of the deadline that sufficient time remains after resolution of any dispute for the expert
discovery to be fully completed by the deadline set herein.