UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROGER L. HUSTED, JR., an individual; REBECCA C. HUSTED, an individual; and HANNAH HUSTED, an individual, Plaintiffs, vs. WELLS FARGO BANK, N.A., a corporation; and DOES 1 through 10, inclusive, Defendants.	Case No. 1:16-cv-00685-AWI-EPG **ORDER SETTING HEARING ON MOTION TO MODIFY SCHEDULING ORDER** (ECF No. 17)

On April 18, 2017, the parties filed a stipulation and proposed order for the extension of the fact discovery, expert and dispositive motion deadlines. (ECF No. 17.)

The discovery schedule may be modified only for good cause and with the judge's consent. Fed. R. Civ. P. 16(b)(4). Further, the Court entered a scheduling order in this case providing that:

> ***The dates set in this Order are considered to be firm and will not be modified absent a showing of good cause, even if a stipulation to modify is filed.*** Stipulations extending the deadlines contained herein will not be considered unless they are accompanied by affidavits or declarations with attached exhibits, where appropriate, that establish good cause for granting the requested relief.

ECF No. 10, p. 8 (emphasis as in original).

The filed stipulation does not establish good cause and would require the Court to move the trial dates in this case.

Therefore, the Court will ADVANCE the status conference currently set for May 15, 2017 to April 26, 2017 at 9:00 a.m. in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. The parties are further granted telephonic appearances with each party to use the following call-in numbers: 1-888-251-2909 and passcode 1024453. The parties should be prepared to address their requested schedule and any good cause for moving the scheduled dates, especially the dispositive motion and trial dates.

The parties are directed to file a joint report, of up to five (5) pages, outlining the status of the case, any additional discovery still planned, potential for settlement, and any other issues pending that would benefit from the Court's assistance/direction. The parties shall file the report by noon, one day prior to the conference, and email a copy, in Word format, to epgorders@caed.uscourts.gov.

IT IS SO ORDERED.

Dated: **April 20, 2017**

/s/ Erica P. Grosjean
UNITED STATES MAGISTRATE JUDGE