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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN GRIFFITHS,
Plaintiff,
v.
WAL-MART STORES, INC.,
Defendant.

Case No. 1:16-cv-01438-DAD-JLT
ORDER ON THE PARTIES' STIPULATION
TO CONTINUE FACT AND EXPERT
DISCOVERY AND AMENDING THE CASE
SCHEDULE

The parties have stipulated to continue the non-expert and expert discovery deadlines previously ordered by the Court. (Doc. 21) The parties report they “have been diligent in engaging in fact discovery,” including exchanging two sets of written discovery and conducting six depositions. (*Id.* at 2) However, the parties assert they “were unable to complete all necessary depositions prior to the September 29, 2017,” due to scheduling difficulties. Therefore, the parties have stipulated to the extension of the non-expert discovery deadline to October 30, 2017, for the limited purpose of deposing Derrick Diamond. (*Id.*)

Further, the parties seek to continue the expert discovery deadlines. (Doc. 21 at 2) Defendant’s mental health expert is not available to perform an independent medical examination on Plaintiff until November 13, 2017. (*Id.*) Thus, the parties request the initial expert disclosure deadline be continued to November 20, 2017, and the rebuttal expert deadlines and expert cut-off likewise be continued. (*Id.* at 2-3)

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Notably, the parties do not seek to amend the non-dispositive motion filing deadlines. Thus, if a discovery dispute arises after the cut-off of December 15, 2017, the parties will be required to demonstrate good cause under Rule 16 for the filing of a motion related to the dispute.

Regardless, the Court finds good cause for the extensions to which the parties have stipulated. Accordingly, the Court **ORDERS**:

1. The non-expert discovery deadline is extended to **October 30, 2017** for the limited purpose of taking the deposition of Derrick Diamond only;
2. The parties **SHALL** disclose all expert witnesses, in writing, no later than **November 20, 2017**, and disclose all rebuttal experts no later than **December 11, 2017**;
3. Discovery pertaining to experts **SHALL** be completed by **December 29, 2017**;
and

No further modifications of the Scheduling Order are authorized at this time.

IT IS SO ORDERED.

Dated: October 6, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE