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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOHN SCALIA,)	Case No.: 1:17-cv-01097 - LJO - JLT
)	
Plaintiff,)	ORDER DENYING IN PART STIPULATION TO
)	AMEND THE CASE SCHEDULE
v.)	
)	(Doc. 44)
COUNTY OF KERN, et al.,)	
)	
Defendants.)	
)	

Counsel have stipulated to amend the case schedule to extend all dates by 120 days. (Doc. 44) The reasons for this request is that plaintiff’s counsel has been so busy with other activities that he has not been available to conduct discovery in this case. Unfortunately, this does not constitute good cause to amend the case schedule. By its very nature, litigation requires attorneys to be incredibly busy. This is a circumstance known to all litigators and, of course, had to have been known to counsel at the time the Court scheduled the case. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 610 (9th Cir. 1992). Therefore, the stipulation is **DENIED in PART**.

Nevertheless, the Court will extend the nonexpert discovery deadline to coincide with the expert discovery deadline. In doing so, however, this is not justification to delay expert discovery or to allow experts to provide incomplete reports.

If this is not workable with counsel’s schedule, he must consider associating with co-counsel or withdrawing from the case. This case is as “time-sensitive” as any he has and the parties are as

1 entitled to have the case move as expeditiously as possible as any others. Thus, the Court **ORDERS**:

2 The stipulation is **DENIED** except that all non-expert discovery **SHALL** be completed no later
3 than May 24, 2019. In the event counsel cannot develop a workable deposition schedule, they
4 **SHALL** contact the Court for an informal conference at which the Court can assist them in setting it.

5
6 IT IS SO ORDERED.

7 Dated: December 21, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE