UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CITY OF FRESNO,

        Plaintiff,

    v.

TOKIO MARINE SPECIALTY
INSURANCE COMPANY,

        Defendant.

Case No. 1:18-cv-00504-LJO-SAB

ORDER RE STIPULATION TO EXTEND
DISCOVERY DEADLINE

(ECF No. 19.)

On June 12, 2019, the parties filed a stipulation requesting the Court's approval of an agreement to extend the deadline to complete a deposition and respond to written discovery, in addition to extending the associated deadline to file a motion to compel such discovery. (ECF No. 19.)

Accordingly, IT IS HEREBY ORDERED that the non-expert discovery cutoff date shall be extended until August 30, 2019, to allow for the completion of such discovery. However, the parties are advised of the following language contained in the Court's scheduling order issued August 30, 2018 (ECF No. 16), which shall remain applicable to any potential motion to compel in relation to the new discovery deadline: Absent good cause, discovery motions will not be heard after the discovery deadlines. Moreover, absent good cause, the Court will only grant relief on a discovery motion if the relief requested requires the parties to act before the expiration of the relevant discovery deadline. In other words, discovery requests and deposition notices

1

must be served sufficiently in advance of the discovery deadlines to permit time for a response, time to meet and confer, time to prepare, file and hear a motion to compel and time to obtain relief on a motion to compel. Counsel are expected to take these contingencies into account when proposing discovery deadlines. Compliance with these discovery cutoffs requires motions to compel be filed and heard sufficiently in advance of the discovery cutoff so that the Court may grant effective relief within the allotted discovery time. A party's failure to have a discovery dispute heard sufficiently in advance of the discovery cutoff may result in denial of the motion as untimely.

IT IS SO ORDERED.

Dated: **June 13, 2019**

UNITED STATES MAGISTRATE JUDGE