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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ATAIN SPECIALTY INSURANCE
COMPANY,

Plaintiff,

v.

LORENZO MARQUEZ, et al.,

Defendants.

Case No. 1:19-cv-01672-DAD-SAB

ORDER GRANTING REQUEST TO
EXTEND DEADLINE FOR RULE 26
INITIAL DISCLOSURES

(ECF No. 73)

On November 19, 2020, the Court granted the parties’ request to amend the initial disclosure deadline based on a tentative settlement of the action. (ECF No. 72.) The Court’s order set a new deadline of January 4, 2021, for the exchange of initial disclosures. (Id.) On January 6, 2021, counsel for Plaintiff filed a document that was entered on the docket as a status report, and is entitled a declaration of counsel re: status of case and pending settlement. (ECF No 73.)

Counsel proffers that the settlement agreement is not finalized and counsel in a related state action need more time to finalize the settlement agreement with their clients. (Id. at 2.) Counsel for Plaintiff states that “on behalf of [counsel for Defendant] Mr. Schulte, I make and submit this declaration so as to advise the Court of the current status of this action and its pending settlement and to request that the Court approve a further delay in the” initial disclosures, in expectation that they will ultimately be unnecessary. (Id.) The filing concludes

1 that a “further extension of 30 to 60 should suffice.” (Id. at 2.)

2 In the interests of expediency, the Court shall grant the request to extend the deadline an
3 additional thirty days, however, in the future, counsel is expected to submit either a stipulated
4 request if approval of opposing parties is proffered, or a motion if approval is not obtained.
5 While counsel proffers the submission of this declaration is on behalf of opposing counsel, the
6 Court instructs counsel that under the local rules, if an opposing counsel approves of a request,
7 an electronic signature of opposing counsel may be placed on the document. See L.R. 131(e)
8 (“Documents that are normally signed by more than one counsel, whether the counsel represent
9 the same party or different parties, may be prepared by obtaining approval from any other
10 counsel to state that the other counsel has authorized submission of the document on that
11 counsel’s behalf. Submitting counsel shall place the other counsel’s signature on the electronic
12 filing by using ‘/s/ counsel’s name (as authorized on [date].’ ”). Counsel are also expected to
13 submit any request for an extension of a deadline prior to the expiration of such deadline or
14 otherwise provide additional good cause for the belated request.

15 Pursuant to the declaration of Plaintiff’s counsel, and finding good cause, IT IS HEREBY
16 ORDERED that:

- 17 1. The deadline by which the parties must exchange initial disclosures is
18 CONTINUED to February 3, 2021; and
- 19 2. If Defendant objects to the entry of this extension, Defendant may file an
20 objection or statement of opposition within three (3) days of entry of this order.

21 IT IS SO ORDERED.

22 Dated: January 7, 2021

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24 _____
25 UNITED STATES MAGISTRATE JUDGE
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