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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHARLENE LOPEZ,

 Plaintiff,

 v.

AT&T MOBILITY SERVICES, LLC,

 Defendant.

Case No. 1:20-cv-01219-SAB

ORDER GRANTING STIPULATED MOTION
TO MODIFY SCHEDULING ORDER AND
TRIAL DATE

(ECF No. 25)

The scheduling order was most recently amended on November 4, 2022, setting among other dates, a nonexpert discovery deadline of May 29, 2023, and a trial date of December 11, 2023, in Courtroom 9 before Magistrate Judge Stanley A. Boone. (ECF No. 20.) Currently before the Court is the parties’ stipulated motion to modify the scheduling order and continue the trial date, filed on May 17, 2023.¹ (ECF No. 25.) The parties proffer, like in the previous request to modify the scheduling order that the Court granted on November 4, 2022, that the parties attended a mediation in September of 2022, at which the parties did not reach settlement; that in October of 2022, Defendant substituted new counsel in this action; and new counsel is getting up to speed on the case. As new reasons underlying the current request, the parties proffer that

¹ Due to an administrative error, the Court has not reviewed the instant stipulation until now. The parties are reminded that, as required by Local Rule 137(b), counsel shall submit all proposed orders, stipulations, etc., in Microsoft Word format, to chambers at saborders@caed.uscourts.gov, a requirement that, in part, aids the Court in ensuring all filings are reviewed promptly.

1 Defendant started the deposition of Plaintiff on April 17, 2023, however, was unable to complete
2 the deposition due to technical difficulties, and no alternative dates were provided yet. (ECF No.
3 25 at 3.) The parties further proffer that Plaintiff has not yet been provided new dates for the
4 depositions of Defendant's employees, which are necessary, and request extensions of the current
5 deadlines and dates by approximately three to four months.

6 The Court notes that the reasons provided by the parties, in comparing previous requested
7 modifications of the scheduling order, do not *clearly* establish good cause. Nonetheless, in light
8 of the totality of the reasons proffered, the agreement of the parties, and that the assigned
9 Magistrate Judge can accommodate the trial date change, the Court finds sufficient good cause
10 and shall grant the requested modification. However, the parties are reminded to exercise
11 diligence and cooperation in scheduling depositions.

12 Accordingly, IT IS HEREBY ORDERED that the parties' stipulated motion (ECF No. 25)
13 is GRANTED, and the scheduling order is modified as follows:

- 14 1. Nonexpert Discovery Deadline: August 31, 2023;
- 15 2. Expert Disclosure Deadline: September 29, 2023;
- 16 3. Supplemental Expert Disclosure Deadline: October 30, 2023;
- 17 4. Expert Discovery Deadline: November 30, 2023;
- 18 5. Dispositive Motion Filing Deadline: December 8, 2023;
- 19 6. Pre-trial Conference: February 9, 2024, at 9:30 a.m. in Courtroom 9; and
- 20 7. Trial: April 9, 2024, at 8:30 a.m. in Courtroom 9.

21 All other dates and aspects of the scheduling order, as previously modified, shall remain in effect.

22
23 IT IS SO ORDERED.

24 Dated: June 14, 2023


UNITED STATES MAGISTRATE JUDGE