

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

----oo0oo----

JESUS SILVA RODRIGUEZ and
RIGOBERTO ZEPEDA LOA,

 Plaintiffs,

 v.

RCO REFORESTING, INC. and
ROBERTO OCHOA,

 Defendants.

CIV. NO. 2:16-2523 WBS CMK

ORDER RE: MOTION TO AMEND THE
PRETRIAL SCHEDULING ORDER

----oo0oo----

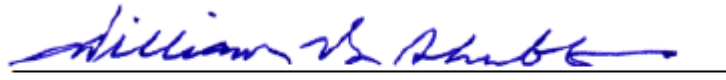
Plaintiffs move to amend the court's February 17, 2017, Pretrial Scheduling Order to extend discovery, dispositive motion, and trial dates by seven months. (See Docket No. 26.) A scheduling order "may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4); see Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992).

Discovery closes August 31, 2017, and plaintiffs argue all opt-in plaintiffs that fall within their proposed

1 conditionally certified class will not be identified by that
2 time. However, because the court denied plaintiffs' Motion to
3 conditionally certify this action as an FLSA collective action,
4 the court finds presently there is not good cause to amend the
5 Scheduling Order.

6 IT IS THEREFORE ORDERED that plaintiffs' Motion to
7 amend the pretrial scheduling order (Docket No. 26) be, and the
8 same hereby is, DENIED WITHOUT PREJUDICE.

9 Dated: June 19, 2017



10 **WILLIAM B. SHUBB**
11 **UNITED STATES DISTRICT JUDGE**

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28