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

ONLINE GURU INC.,

 Plaintiff,

 v.

CARTAGZ, INC. aka CARTAGZ.COM; and
DOES 1-10, inclusive,

 Defendants.

Case No. 2:17-cv-01121-TLN-KJN

**ORDER ON ONLINE GURU, INC.'S EX
PARTE APPLICATION TO MODIFY
SCHEDULING ORDER TO EXTEND
DISPOSITIVE MOTION HEARING
DEADLINE AND PRE-TRIAL
CONFERENCE AND TRIAL DATES**

Location: Courtroom 2, 15th Floor
Hon. Troy L. Nunley

1 The Court has reviewed Plaintiff/Counter-Defendant Online Guru, Inc.'s ("OG") *ex parte*
2 application to modify the Court's June 11, 2018 scheduling order (ECF No. 32) to extend the
3 dispositive motion hearing, pre-trial conference, and trial deadlines by sixty (60) days. (ECF No.
4 52.) The Court has also reviewed Defendant Cartagz's Opposition thereto. (ECF No. 53.)
5 Scheduling orders may be modified under Federal Rule of Civil Procedure 16(b) upon a showing
6 of good cause, which showing primarily focuses on the diligence of the requesting party. *See*
7 *Johnson v. Mammoth Recreations*, 975 F.2d 604, 608-09 (9th Cir. 1992).

8 The Court finds that OG has shown good cause to modify the scheduling order to extend
9 the dispositive motion and pre-trial and trial deadlines. The new information received January
10 11, 2019 justifies OG's albeit late request to extend the dispositive motion deadline and, as a
11 result, the trial-related dates and deadlines as well. The Court acknowledges Cartagz's argument
12 that OG could have been more diligent in seeking the requested extension. Still, under the
13 circumstances, the Court finds OG's delay of a few weeks from January 11, 2019, when it
14 received the subject letter, to February 8, 2019, when it reached out to Cartagz counsel, does not
15 constitute a significant delay and does not reflect a lack of diligence on the part of OG's counsel.

16 The following deadlines set forth in the Court's June 11, 2018 Scheduling Order will be
17 continued as follows. All other dates remain unchanged.

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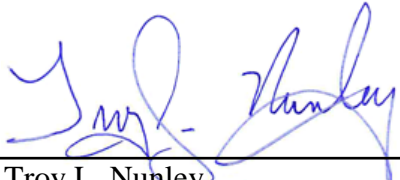
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<u>Deadline</u>	<u>Current Deadline</u>	<u>New Deadline</u>
Last day to hear dispositive motions	February 21, 2019	May 2, 2019
Joint Final Pretrial Conference Statement	June 6, 2019	August 15, 2019
Final Pretrial Conference	June 13, 2019, 2:00 p.m.	August 22, 2019
Trial	August 26, 2019, 9:00 a.m.	October 28, 2019, 9:00 a.m.

IT IS SO ORDERED.

Dated: February 28, 2019



Troy L. Nunley
United States District Judge