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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

RAFAEL MUNOZ, ET AL.,

Plaintiffs,

v.

WATSONVILLE COMMUNITY  
HOSPITAL,

Defendant.

Case No. 15-cv-00932-BLF

**ORDER GRANTING IN PART AND  
DENYING IN PART MOTION TO  
EXTEND DISCOVERY DEADLINE**

Plaintiff moves to extend the discovery cut-off, currently set for July 14, 2017, to August 15, 2017. According to Plaintiff, various delays in the discovery process have prevented Plaintiff from obtaining a complete set of medical records relating to Defendant Watsonville Community Hospital's ("WCH") treatment of the decedent, Karina Munoz Hermosillo. Plaintiff thus requests an extension of the discovery cut-off to allow for a motion to compel and a subpoena of third parties in an attempt to obtain the medical records.

Defendant WCH objects, arguing that all records have been produced and complaining that Plaintiff has failed to comply with ex parte rules. WCH further requests that if the Court extends discovery, that discovery be limited to Plaintiff seeking a motion to compel CHS/Community Health Systems Incorporated's ("CHSPSC") compliance with the previously issued subpoena for records and/or to subpoena Quorum Health for the records.

A motion to change a deadline in the scheduling order should be evaluated under Fed. R. Civ. Proc. 16(b), requiring "good cause." *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002). Here, Plaintiff represents that WCH refused to discuss the existence of e-

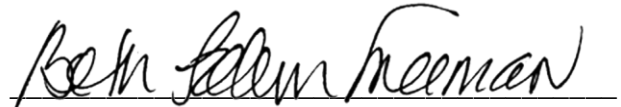
1 discovery or ProMed medical records, and only on July 13, 2017, did WCH inform Plaintiff that it  
2 did not have access to the requested documents. Mot. 2. Additionally, Plaintiff has experienced  
3 numerous delays despite diligent attempts to serve the subpoena on CHSPSC. Because Plaintiff  
4 was not apprised of WCH's inability to access the requested records until July 13, 2017, close to  
5 the discovery cut-off, and encountered difficulty in serving CHSPSC, the Court finds good cause  
6 to extend the discovery cut-off for a limited purpose. Accordingly, the Court GRANTS IN PART  
7 the motion to extend the discovery cut-off to August 15, 2017, solely for Plaintiff to seek an order  
8 compelling CHSPSC's production of records in Tennessee and to subpoena Quorum Health for  
9 the records. To the extent the motion requests the extension to allow for other discovery-related  
10 requests, the Court DENIES IN PART the motion.

11 **IT IS SO ORDERED.**

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13 Dated: July 19, 2017

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BETH LABSON FREEMAN  
United States District Judge

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