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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 HOSSEIN ZEINALI,

12 Plaintiff,

13 v.

14 RAYTHEON COMPANY; and DOES 1-25,
15 inclusive,

16 Defendants.

Civil No. 07cv01852-JM (CAB)

**ORDER DENYING JOINT MOTION TO
EXTEND EXPERT DISCOVERY
DEADLINES AS SUBMITTED;
GRANTING BRIEF EXTENSION OF
DATES**

[Doc. No. 35]

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18 On July 8, 2008, the Court granted the parties' third request to extend expert discovery deadlines
19 in this case. [Doc. No. 22.] Since the original Scheduling Order entered in this case on December 18,
20 2007 [Doc. No. 13], these deadlines have been extended approximately four months beyond the original
21 dates and the parties were informed that no further extensions of these deadlines would be granted.
22 Despite the Court's admonition in the last Order, the parties now request a fourth continuance of
23 discovery dates, that if granted would necessitate the Court rescheduling the Pretrial Conference. [Doc.
24 No. 35.]

25 The "good cause" submitted for this latest request is the need to complete percipient witness
26 depositions. This scheduling issue does not explain the need to further delay the exchange of expert
27 identification or provide good cause for further lengthy delay of the completion of discovery in this
28 matter. The parties' requested extension is therefore **DENIED**.

1 The Court, however, grants the parties a brief extension of time, as follows:

- 2 1. Extend the date for expert disclosures from September 12, 2008 to **September 19, 2008**.
- 3 2. Extend the date for rebuttal expert disclosures from September 26, 2008 to **October 3,**
- 4 **2008**.
- 5 3. Extend the date for compliance with disclosure provisions in Rule 26(a)(2)(B) of the
- 6 Federal Rules of Civil Procedure from October 10, 2008 to **October 24, 2008**.
- 7 4. Extend the date for supplemental disclosures regarding contradictory or rebuttal evidence
- 8 under Rule 26(a)(2)(c) from October 17, 2008 to **November 1, 2008**.

9 **Any party that fails to make these disclosures shall not, absent substantial justification, be**
10 **permitted to use evidence or testimony not disclosed at any hearing or at the time of trial. In**
11 **addition, the Court may impose sanctions as permitted by Fed. R. Civ. P. 37(c).**

- 12 5. Extend the date for all discovery, including expert discovery November 14, 2008 to
- 13 **November 19, 2008**.

14 All other pretrial dates remain in effect, including the requirement that the parties file their
15 Memoranda of Contentions of Fact and Law in compliance with Local Rule 16.1(f)(2) and comply with
16 the Pretrial Disclosure requirements of Fed. R. Civ. P. 26(a)(3) on or before **November 26, 2008**, unless
17 otherwise instructed by the Court.

18 **IT IS SO ORDERED.**

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20 DATED: September 8, 2008

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23 **CATHY ANN BENCIVENGO**
24 United States Magistrate Judge
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