

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 KEVIN LUCORE et al.,

12 Plaintiffs,

13 v.

14 SAFECO INSURANCE COMPANY OF
15 AMERICA et al.,

16 Defendants.
17

Case No.: 16-CV-670-WVG

**ORDER DENYING JOINT MOTION
TO CONTINUE**

[Doc. No. 25.]

18 For the third time, the parties have asked the Court to continue discovery-related
19 deadlines in this case. On December 14, 2016, the parties asked for a 2-month extension
20 of fact and expert discovery deadlines and related dates. [Doc. No. 19.] Then on February
21 2, 2017, they asked for another 6-week extension of the same deadlines. [Doc. No. 23.]
22 With respect to discovery extensions, the Court's Chambers Rules state: "The Court
23 disfavors continuances, but is amenable to such requests if good cause is shown. Good
24 cause includes, among other things, a showing that the parties have been diligent and have
25 not been dilatory."

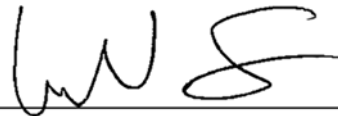
26 Cumulatively, the three Scheduling Orders in this case have allowed 9 months for
27 fact discovery, which is longer than ordinarily afforded other non-complex cases. The
28 Court accommodated the parties' past requests despite making explicit in its Chambers

1 Rules that continuances are disfavored. The Court also expected the parties would
2 conclude the discovery process and would not make additional requests. Not only is this
3 case not complex, it is quite straightforward and should not have required as much time as
4 the Court has granted. Nine months to complete discovery should have been sufficient.

5 Given the nature of the case, the length of time granted for discovery, and in light of
6 the two prior extensions the Court granted, the parties have not been diligent in completing
7 whatever discovery is left to be done. Deadlines have a purpose and concentrate the mind
8 on the task at hand. It is time for the parties to focus on concluding what discovery remains
9 in the time that remains in this non-complex case. Accordingly, good cause does not exist,
10 and the parties' request is DENIED.¹ All dates in the Second Amended Scheduling Order
11 shall remain as set.

12 **IT IS SO ORDERED.**

13 Dated: March 30, 2017



14
15 Hon. William V. Gallo
16 United States Magistrate Judge

17
18
19
20
21
22
23
24
25
26
27 ¹ The Court understands the parties' request is also based, in part, on conflicts with other
28 matters. However, the Court has the discretion and right to manage its calendar. As the
State courts have exercised their discretion and have denied requests to alter hearings
before them, this Court does the same.