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7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
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10 JOSE ORLANDO CANCINO
11 CASTELLAR, et al.,

12 Plaintiffs,

13 v.

14 ALEJANDRO MAYORKAS, et al.,

15 Defendants.

Case No.: 3:17-cv-491-BAS-AHG

**ORDER GRANTING IN PART
JOINT MOTION TO CONTINUE
CASE MANAGEMENT
CONFERENCE**

[ECF No. 184]

16
17 Before the Court is the parties' Joint Motion to Continue Case Management
18 Conference. ECF No. 184. The parties request that the Court extend the October 5 filing
19 deadline for their Joint Case Management Statement, and the October 12 Case
20 Management Conference. *Id.*

21 Parties seeking to continue deadlines must demonstrate good cause. Chmb.R. at 2–
22 3 (stating that any request for continuance requires “[a] showing of good cause for the
23 request”); *see also* FED. R. CIV. P. 6(b) (“When an act may or must be done within a
24 specified time, the court may, for good cause, extend the time”). “Good cause” is a non-
25 rigorous standard that has been construed broadly across procedural and statutory contexts.
26 *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010). The good cause
27 standard focuses on the diligence of the party seeking to amend the scheduling order and
28 the reasons for seeking modification. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d

1 604, 609 (9th Cir. 1992) (“[T]he focus of the inquiry is upon the moving party’s reasons
2 for seeking modification. . . . If that party was not diligent, the inquiry should end.”)
3 (internal citation omitted). Therefore, “a party demonstrates good cause by acting diligently
4 to meet the original deadlines set forth by the court.” *Merck v. Swift Transp. Co.*, No. CV-
5 16-01103-PHX-ROS, 2018 WL 4492362, at *2 (D. Ariz. Sept. 19, 2018).

6 Here, the Court set a Case Management Conference for October 12, 2021, and
7 required that the parties file their Joint Case Management Statement by October 5, 2021.
8 ECF No. 181. The parties represent to the Court that, because the class certified by this
9 Court is narrower than the class proposed by Plaintiffs, Defendants are currently assessing
10 whether the scope of the class impacts the applicability of the data they produced in
11 discovery thus far, and how this may impact the proposed scheduling of discovery and
12 dispositive motion deadlines. ECF No. 184 at 2. The parties also represent that they are in
13 the process of meeting and conferring regarding a pending fact discovery matter, relating
14 to the reopening of Rule 30(b)(6) depositions concerning new documents that were
15 produced after the original Rule 30(b)(6) depositions took place. *Id.* Thus, the parties seek
16 a two-week extension of the filing deadline and conference, to October 19 and October 26,
17 respectively. *Id.* at 3.

18 As an initial matter, the parties’ motion is deficient. First, the Joint Case
19 Management Statement was due on October 5 (*see* ECF No. 181), but the instant motion
20 to continue that deadline was filed on October 4. ECF No. 184. By filing the motion
21 one day before the affected deadline, the parties failed to follow the Court’s Chambers
22 Rules. *See* Chmb.R. at 2 (requiring that “[a]ll requests for continuances must be made by
23 a joint motion no less than seven calendar days before the affected date”) (emphasis added).

24 Second, the parties failed to provide a declaration from counsel, as required by the
25 Court’s Chambers Rules. Chmb.R. at 2 (requiring that the joint motion for continuance
26 include a “declaration from counsel seeking the continuance that describes the steps taken
27 to comply with the existing deadlines, and the specific reasons why the deadlines cannot
28 be met”). The Court also notes that this is not the first time the Court has reminded the

1 parties of their obligations to follow its Chambers Rules in connection with a motion to
2 continue. *See* ECF No. 112 at 2 n.1 (listing the shortcomings of the motion to continue,
3 including the lack of declaration). The Court will take the parties at their word without the
4 required declaration, but will not do so again.

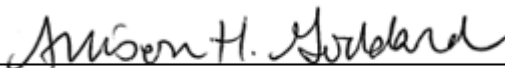
5 Despite the joint motion's shortcomings, the Court finds good cause to continue the
6 Case Management Conference. Thus, the parties' joint motion is **GRANTED IN PART**
7 as follows:

8 1. The **telephonic, counsel-only** Case Management Conference originally set
9 for October 12, 2021 is **RESET** for **November 5, 2021**¹ at **11:00 a.m.** before the Honorable
10 Allison H. Goddard. Counsel shall call the chambers teleconference line at **1-877-873-8018**
11 and use **8367902** as the access code.

12 2. The parties must file a Joint Case Management Statement by
13 **October 27, 2021**. The Joint Case Management Statement must address all points in the
14 "Joint Case Management Statement Requirements for Magistrate Judge
15 Allison H. Goddard," which can be found on the court website at:
16 [https://www.casd.uscourts.gov/Judges/goddard/docs/Goddard%20Joint%20Case%20Man](https://www.casd.uscourts.gov/Judges/goddard/docs/Goddard%20Joint%20Case%20Management%20Statement%20Rules.pdf)
17 [agement%20Statement%20Rules.pdf](https://www.casd.uscourts.gov/Judges/goddard/docs/Goddard%20Joint%20Case%20Management%20Statement%20Rules.pdf).

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19 **IT IS SO ORDERED.**

20 Dated: October 4, 2021



21 Honorable Allison H. Goddard
22 United States Magistrate Judge
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27 ¹ The Court recognizes that the parties requested that the Case Management Conference be
28 reset for October 26, 2021. ECF No. 184 at 3. However, that date is unavailable on the
Court's calendar.