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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 CERTIFIED NUTRACEUTICALS, INC.,  
12 a California Corporation,

13 Plaintiff,

14 v.

15 THE CLOROX COMPANY, a Delaware  
16 Corporation, et al.,

17 Defendants.

Case No.: 3:18-cv-00744-W-KSC

**ORDER GRANTING JOINT  
MOTION TO AMEND  
SCHEDULING ORDER TO  
CONTINUE PRETRIAL DATES  
[Doc. No. 137]**

18 Before the Court is the parties' Joint Motion to Amend Scheduling Order to  
19 Continue Pretrial Dates (the "Joint Motion" or "Jt. Mot."). Doc. No. 137. The parties  
20 jointly request that the remaining pretrial dates set forth in the Court's November 26,  
21 2019 Scheduling Order Regulating Discovery and Other Pretrial Proceedings (Doc. No.  
22 61) be continued until after the District Court has ruled upon defendants' currently-  
23 pending Motions for Summary Judgment. Jt. Mot. at 3. For the reasons that follow, and  
24 good cause appearing, the Court GRANTS the parties' Joint Motion.

25 It is an appropriate exercise of this Court's discretion to grant a stay or continuance  
26 "when it serves the interests of judicial economy and efficiency." *Rivers v. Walt Disney*  
27 *Co.*, 980 F. Supp. 1358, 1360 (C.D. Cal. 1997); *see also Single Chip Sys. Corp. v.*  
28 *Intermec IP Corp.*, 495 F. Supp. 2d 1052, 1057 (S.D. Cal. 2007) (noting Court's authority

1 to control its docket for the “economy of time and effort for itself, for counsel, and for  
2 litigants”) (citation omitted).

3 Here, all defendants have moved for summary judgment, and those motions are set  
4 for hearing on October 19, 2020. Jt. Mot. at 3. Pursuant to the Scheduling Order  
5 currently in place, the parties will be required to make their initial pretrial disclosures by  
6 November 2, 2020 – just two weeks after the hearing. *Id.*; *see also* Doc. No. 61 at 4. The  
7 pretrial conference is scheduled approximately a month later, on December 9, 2020.  
8 Doc. No. 61 at 5. As the parties explain, this schedule “creates the clear potential for  
9 unnecessary work by the parties and the Court if [d]efendants’ motions are granted in  
10 whole or in part.” Jt. Mot. at 3. The parties have met and conferred, and all are amenable  
11 to continuing the remaining deadlines – all of which relate to trial preparation – until after  
12 a ruling on the summary-judgment motions is issued. Jt. Mot. at 2, 3. Thus, no party will  
13 be unfairly prejudiced by this continuance. *See Single Chip Systems*, 495 F. Supp. 2d at  
14 1057 (noting that the Court should consider prejudice to any party when determining  
15 whether to stay proceedings).

16 Accordingly, the Court finds there is good cause to grant the requested  
17 continuance. The following pretrial dates are hereby **VACATED**:

18 **November 2, 2020**: Deadline to comply with pretrial disclosure  
19 requirements under Fed. R. Civ. P. 26(a)(3);

20 **November 9, 2020**: Deadline to meet and take the action required under  
21 Local Rule 16.1(f)(4);

22 **November 16, 2020**: Deadline for plaintiff to provide a proposed pretrial  
23 order to defendants;

24 **November 23, 2020**: Deadline to lodge the proposed pretrial order,  
25 including any objections thereto;

26 **December 9, 2020**: Deadline to submit informal letter briefs to the  
27 Honorable Thomas J. Whelan; and

28 **December 14, 2020**: Final Pretrial Conference.


1 Counsel for all parties shall jointly contact the chambers of the Honorable Thomas  
2 J. Whelan within **three (3) business days** of a ruling on the pending Motions for  
3 Summary Judgment (Doc. Nos. 117, 120), at which time the foregoing pretrial deadlines  
4 will be reset if necessary.

5 **ORDER**

6 For the reasons set forth above, the parties' Joint Motion to Amend Scheduling  
7 Order to Continue Pretrial Dates (Doc. No. 137) is **GRANTED**.

8 **IT IS SO ORDERED.**

9 Dated: October 15, 2020

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11 Hon. Karen S. Crawford  
12 United States Magistrate Judge  
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