

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 08-cv-02258-WYD-BNB

AMERICAN GENERAL LIFE INSURANCE COMPANY,

Plaintiff,

v.

ESTATE OF JOHN J. PLAINE,

Defendant.

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**ORDER**

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This matter arises on **Defendant's Motion to Amend the Scheduling Order to Allow Additional Time for Joinder of Parties and Amendment of Pleadings** [Doc. # 14, filed 2/19/2009] (the "Motion"), which is DENIED.

It is my practice to set the deadline to join and amend within four to six weeks after the scheduling conference in order to force any known amendments to be sought immediately. I do this so that all of the discovery, including the earliest discovery, is taken with the claims and defenses to be as the parties reasonably expect them to be. Joinder and amendment may still be sought after the deadline set in the scheduling order; the requesting party simply must make the greater showing of good cause for why the amendment was not sought earlier. Matters learned through discovery and private investigation, a change in the law, and other unexpected circumstances may form good cause to extend the deadline to join or amend, but known amendments must be sought immediately or they may be barred.

I will not extend the deadline to amend and join in the vacuum. Instead, the requesting party should seek to extend the deadline and leave to amend or join after it knows of the requested amendment, and a copy of the proposed amendment should be attached to the motion to extend the deadline. That allows me to determine whether good cause exists to allow the late amendment.

IT IS ORDERED that the Motion is DENIED.

Dated February 24, 2009.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge