

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01862-ZLW-MEH

WILDEARTH GUARDIANS, a New Mexico non-profit corporation,

Plaintiff,

v.

PUBLIC SERVICE COMPANY OF COLORADO, d/b/a XCEL ENERGY,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on August 12, 2010.

Plaintiff's Motion to Amend the Case Scheduling Order [[filed August 4, 2010; docket #81](#)] is **denied** for failure to demonstrate good cause. It is common in nearly every civil matter before the Court that discovery (including objections to discovery) is ongoing at the time an initial expert report is due. In fact, here, the discovery period does not end until November 1, 2010, nearly 2-1/2 months after the due date for initial expert reports. Moreover, Fed. R. Civ. P. 26(e)(2) provides that expert reports may be supplemented until 30 days before trial. Therefore, the Court finds that Plaintiff has failed to show good cause for this Court to extend the initial expert report deadline and all remaining discovery deadlines again for an additional 45 days.