

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 14-cv-02200-WJM-KMT

THERESE BYORICK,

Plaintiff,

v.

CAS, INC., and
NORTHROP GRUMMAN SYSTEMS CORPORATION, a Delaware corporation,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

The “Joint Motion to Modify Scheduling Order by Extending Discovery Cut-off” (Doc. No. 69, filed Mar. 31, 2015) is GRANTED in part. By seeking an extension of the Discovery Cutoff to 63 days after the court rules on Defendants’ Motion to Dismiss, the parties effectively seek a stay of discovery. However, the parties have not addressed the factors governing a stay of discovery in this District. *See String Cheese Incident, LLC v. Stylus Shows, Inc.*, No. 05-cv-01934-LTB-PAC, 2006 WL 894955, at *2 (D. Colo. Mar. 30, 2006) (citation omitted). Further, the court cannot otherwise find that a stay of discovery is warranted in this case as Defendants’ motions to dismiss do not argue that the court lacks subject-matter or personal jurisdiction. *See, e.g., Castro v. Holmberg*, No. 14-cv-00791-LTB-KMT, 2014 WL 4122175, at *1 (D. Colo. Aug. 21, 2014) (a stay of discovery is disfavored unless a jurisdictional defense has been asserted).

Nevertheless, the court finds that the parties have shown good cause for an amendment to the Scheduling Order. Specifically, the court find that the fact that the Plaintiff’s Second Amended Complaint was not filed until January 22, 2015 constitutes good cause for a 120-day extension of the Discovery Cutoff and Dispositive Motions Deadline. Accordingly, the Discovery Cutoff is extended to August 31, 2015 and the Dispositive Motions Deadline is extended to October 5, 2015. In addition, the Telephonic Final Pretrial Conference is RESET for December 3, 2015 at 9:30 a.m.

Dated: April 9, 2015