

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

PEOPLES GAS SYSTEM, a division of
Tampa Electric Company, a Florida
corporation

Plaintiff,

v.

Case No: 2:11-cv-231-FtM-29SPC

POSEN CONSTRUCTION, INC.,

Defendant.

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ORDER

This matter comes before the Court on the Plaintiff, Peoples Gas System and the Defendant, Posen Construction, Inc.'s Motion to Enlarge Scheduling Order Deadlines (Doc. #49) filed on November 1, 2012. District courts have broad discretion in managing their cases. Chrysler Int'l Corp. v. Chenaly, 280 F.3d 1358, 1360 (11th Cir. 2002). The broad discretion given to the court includes the management of pretrial activities such as discovery and scheduling. Id. (citing Johnson v. Bd. of Regents of Univ. Georgia, 263 F.3d 1234, 1269 (11th Cir. 2001)).

The Parties move the Court to enlarge the deadlines in the Case Management and Scheduling Order up to six (6) months. As grounds to enlarge the deadlines in the Case Management and Scheduling Order, the Parties state that the case is very complex and involves over 150,000 pages of documents already produced in discovery, they have encountered difficulties scheduling all of the necessity depositions, they have identified numerous new third party witnesses, documents need to be reviewed and witnesses deposed, and each side has

identified new areas on which they may retain additional expert witnesses. Additionally, the Parties are involved in other lawsuits involving the same incident and circumstances making the issues here more complicated. After a review of the Parties Motion, the Court finds good cause to enlarge the Case Management and Scheduling Order.

Accordingly, it is now

ORDERED:

The Plaintiff, Peoples Gas System and the Defendant, Posen Construction, Inc.'s Motion to Enlarge Scheduling Order Deadlines (Doc. #49) is **GRANTED**. The Case Management and Scheduling Order is modified as follows:

Disclosure of Experts	Plaintiff: Defendant:	May 6, 2013 June 6, 2013
Discovery Deadline		June 28, 2013
Dispositive Motions, <i>Daubert</i> , and <i>Markman</i> Motions		July 15, 2013
Meeting In Person to Prepare Joint Final Pretrial Statement		September 10, 2013
Final Pretrial Statement (Including a Single Set of Jointly Proposed Jury Instructions and Verdict Forms (With diskette), Voir Dire Questions, Witnesses Lists, Exhibit Lists on Approved Form)		September 30, 2013
All Other Motions Including Motions <i>In Limine</i> , Trial Briefs		September 30, 2013
Final Pretrial Conference	Date: Time: Judge:	October 21, 2013 9:00am. Hon. John E. Steele
Trial Term Begins (Trials Before Magistrate Judges Begin on Date Certain)		November 4, 2013

DONE and **ORDERED** in Fort Myers, Florida this 2nd day of November, 2012.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record
DCCD Brenda Alexander