

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ZOOM TAN, LLC,

Plaintiff,

v.

Case No: 2:12-cv-684-Ftm-29SPC

HEARTLAND TANNING, INC. and
LIGHT SOURCES, INC.,

Defendants.

ORDER

This matter comes before the Court on Defendant Light Sources, Inc.'s Unopposed Motion to Stay Initial Disclosures (Doc. #30) filed on March 19, 2013. 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)).

Defendant Light Sources, Inc. moves the Court for a temporary stay of the deadline for Initial Disclosures currently set for April 15, 2013, pending the Court's ruling on Defendant Light Sources' Motion to Dismiss. Parties filed a Case Management Report on March 13, 2013. (Doc. #29). The parties agreed that the Mandatory Initial Disclosures pursuant to Fed. R. Civ. P. 26(1)(1) deadline should be April 15, 2013. (Doc. #29). Defendant Light Sources request a stay of this deadline pending the Court's ruling on its Motion to Dismiss, which it argues will substantially affect the nature and extent of the disclosures.

In this case, the District Court has not issued a Case Management and Scheduling Order setting the case's deadlines. Thus, the deadlines set out in the Case Management Report filed on

March 13, 2013, are not binding until the Court issues a Case Management and Scheduling Order setting the deadlines. The Court cannot amend an order that has not been yet issued. Furthermore, the April 15, 2013 deadline is still several weeks away and any motion to stay at this time would be premature. Therefore, Defendant Light Sources' request to temporary stay the April 15, 2013 deadline for Initial Disclosures is denied.

Accordingly, it is now

ORDERED:

Defendant Light Sources, Inc.'s Unopposed Motion to Stay Initial Disclosures (Doc. #30) is **DENIED**.

DONE and **ORDERED** in Fort Myers, Florida this 21st day of March, 2013.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record