

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FEDERAL DEPOSIT INSURANCE
CORPORATION, as receiver for Orion
Bank of Naples, Florida

Plaintiff,

v.

Case No: 2:13-cv-58-FtM-38CM

JAMES AULTMAN, EARL
HOLLAND, ALAN PRATT and
BRIAN SCHMITT,

Defendants.

ORDER

This matter comes before the Court upon review of the parties' Joint Motion for Amended Case Management and Scheduling Order (Doc. 63), filed on March 13, 2014. The parties request a one-month extension of certain pretrial deadlines, and represent that the extension will not affect the trial date or any other pretrial deadlines set forth in the Amended Case Management and Scheduling Order (Doc. 52). The Court is mindful that the parties recently completed mediation, but also notes that the parties represented that the previous extension of time granted by the Court, which established the current deadlines, would also "allow the parties adequate time to complete discovery if they are unable to mutually resolve the FDIC-R's claims at mediation." Doc. 56 at 2.

The Court's Case Management and Scheduling Orders explain that the extension of deadlines is disfavored, and state "[t]he Court cannot extend a dispositive motion deadline to the eve of trial" because "at least four months are required before trial to receive memoranda in opposition to a motion for summary judgment, and to research and resolve the dispositive motion sufficiently in advance of trial." Doc. 52 at 3; Doc. 27 at 3. As this case is set for the November 3, 2014 trial term, extending the deadlines as requested in parties' Joint Motion would substantially shorten the time for review by the District Court.

However, because the Motion was filed jointly, and in light of the parties' continued representation that an additional extension will not cause the trial or any other pretrial dates to be delayed, the Court will grant the instant motion, but is not inclined to entertain requests for further extension beyond that granted by this Order without also moving the Pretrial Conference and Trial dates.

The new scheduling deadlines will be as follows:

Plaintiff's Expert Report	May 1, 2014
Defendants' Expert Report	June 2, 2014
Discovery Deadline	June 30, 2014
<i>Daubert</i> and <i>Markman</i> Motions	June 30, 2014
Dispositive Motions	July 14, 2014

ACCORDINGLY, it is hereby

ORDERED:

1. The parties' Joint Motion for Amended Case Management and Scheduling Order (Doc. 63) is **GRANTED** as set forth above. All other directives and deadlines set forth by the Court in the Amended Case Management and Scheduling Order (Doc. 52) remain in effect.

2. The Clerk is directed to update the deadlines on the docket.

DONE and **ORDERED** in Fort Myers, Florida on this 18th day of March, 2014.


CAROL MIRANDO
United States Magistrate Judge

Copies:

Counsel of record