

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JOSHUA BASHORE, on his own
behalf and others similarly situated

Plaintiff,

v.

Case No: 2:14-cv-296-FtM-29CM

PERFORMANCE PLUMBING OF
SOUTHWEST FLORIDA, INC.,
LARRY LANGLEY and RANDAL
LANGLEY,

Defendants.

ORDER

Before the Court is the parties' Joint Motion to Extend Discovery Deadline, Mediation Deadline and Dispositive Motion Deadline (Doc. 28), filed on September 15, 2015. The discovery, mediation and dispositive motions deadlines currently are September 15, 2015, October 5, 2015 and October 16, 2015, respectively. Doc. 26. The parties now are requesting that the discovery deadline be extended to October 30, 2015, and the mediation and dispositive motions deadlines be extended to December 20, 2015.

The Court may extend any deadline for good cause. Fed. R. Civ. P. 6(b). Here, the parties assert the extensions are necessary because counsel recently learned that Plaintiff, Joshua Bashore, is incarcerated and will be until December 2015, and therefore they must now coordinate his deposition through the incarceration facility. Doc. 28 at 1-2. The parties also seek an extension of the

mediation deadline to allow Plaintiff to participate in mediation upon his release. Upon review of the motion, the Court finds good cause to extend the deadlines as requested.

As the parties acknowledge in their joint motion, this case currently is set for trial in February 2016. Doc. 26. As the Case Management Report form used by the parties explains, the Court recommends that the discovery deadline occur five (5) months before trial. Doc. 25 at 2. Similarly, that form states that the Court *requires* that the deadline for filing dispositive, *Daubert* and *Markman* motions occur four (4) months or more before the trial term begins. *Id.* Thus, the extension of the discovery deadline to October 30, 2015 will not leave the recommended time before the trial term, and extending the deadline for filing dispositive motions to December 20, 2015 will not leave the *required* four months between that deadline and the beginning of the trial term. The Court therefore also will remove this case to a later trial term. An amended case management and scheduling order memorializing the new deadlines will be entered under separate cover.

ACCORDINGLY, it is hereby

ORDERED:

1. The Joint Motion to Extend Discovery Deadline, Mediation Deadline and Dispositive Motion Deadline (Doc. 28) is **GRANTED**. An amended case management and scheduling order memorializing the new deadlines will be entered under separate cover.

DONE and **ORDERED** in Fort Myers, Florida on this 17th day of September,
2015.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record