

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DAVID OGILVIE,

Plaintiff,

v.

Case No: 2:14-cv-354-FtM-38CM

JERRY SWANK and PETE
CACERES,

Defendants.

ORDER

Before the Court is Plaintiff & Defendants Unopposed Motion to Extend the Deadline to Disclose Expert Reports (Doc. 32), filed on June 17, 2015. The parties seek extensions of the expert disclosure deadlines because there remains outstanding fact discovery that must be completed prior to the disclosure of expert reports. *Id.* at 1. The parties are requesting that the deadlines for Plaintiff and Defendants to file their expert reports be extended to October 14, 2015 and November 14, 2015, respectively.

The Court may extend any deadline for “good cause.” Fed. R. Civ. P. 6(b)(1). Here, the Court finds that the parties have shown sufficient good cause and will grant the requested extensions. Extending the deadlines for expert disclosures as requested, however, renders the remaining case management deadlines impractical. As the Related Case Order and Track Two Notice explains, the Court recommends that the discovery deadline occur five (5) months before trial and *requires* that the deadline for filing dispositive, *Daubert* and *Markman* motions occur four (4) months

or more before the trial term begins. Doc. 15 at 5. The dispositive motions deadline currently is October 9, 2015 and this case is set for the trial term beginning February 1, 2016. Doc. 23 at 1, 2. Thus, extending the discovery and dispositive motions deadlines to accommodate the extension of the expert disclosure deadlines no longer leaves the required four months between the dispositives deadline and the beginning of the trial term. The Court therefore will extend all remaining case management deadlines and remove this case to a later trial term. The new deadlines will be set forth in an Amended Case Management and Scheduling Order.

ACCORDINGLY, it is hereby

ORDERED:

Plaintiff & Defendants Unopposed Motion to Extend the Deadline to Disclose Expert Reports (Doc. 32) is **GRANTED**. An Amended Case Management and Scheduling Order will be entered under separate cover.

DONE and **ORDERED** in Fort Myers, Florida on this 22nd day of June, 2015.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record