

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PATRICIA I. ERMINI,

Plaintiff,

v.

Case No: 2:15-cv-701-FtM-99CM

MIKE SCOTT, CHARLENE
PALMESE, RICHARD LISENBEE,
ROBERT HAMER and WILLIAM
MURPHY,

Defendants.

ORDER

This matter comes before the Court upon review of the Joint/Agreed Motion for Enlargement of Time (Doc. 46) filed on October 3, 2016.

On November 10, 2015, Plaintiff filed a Complaint (Doc. 1) against Defendants. On January 27, 2016, the parties submitted a Case Management Report proposing the discovery deadline of October 1, 2016, the mediation deadline of December 1, 2016, the deadline of November 1, 2016 for dispositive motions and *Daubert*, and *Markman* motions, and a trial term of February 1, 2017. Doc. 36. On August 10, 2016, the Court issued a Case Management and Scheduling Order setting the discovery deadline to October 3, 2016, the mediation deadline to October 21, 2016, the deadline for dispositive motions and *Daubert*, and *Markman* motions to November 1, 2016, and a trial term of February 6, 2017. Doc. 44. The record also reveals that the CMSO deadlines have not been extended or altered since the Court entered the CMSO.

On October 3, 2016, the parties jointly filed the present motion seeking the first extension of the CMSO deadlines. Doc. 46. The parties state that they have not completed discovery and are not ready to mediate or prepare dispositive motions. *Id.* at 2. The parties ask the Court to extend the relevant deadlines out by not less than four (4) months but not more than six (6) months. Before the parties filed the present motion, the Court recognizes that the CMSO deadlines have not been extended or altered before. For good cause shown and because this motion is unopposed, the Court will grant the extensions, but not to the extent the parties seek. The discovery and mediation deadlines and the deadline for dispositive motions and *Daubert*, and *Markman* motions will be extended by eighty (80) days. The trial term is rescheduled to commence on April 3, 2017.

Given the length of the extension granted here, the Court expects the parties to exercise their diligence in meeting the extended deadlines. The parties' continued diligence and coordination also will eliminate the parties' future need to file additional motions to extend the deadlines.

ACCORDINGLY, it is hereby

ORDERED:

1. The Joint/Agreed Motion for Enlargement of Time (Doc. 46) is **GRANTED**.
2. An amended case management and scheduling order will be issued under separate cover.

DONE and **ORDERED** in Fort Myers, Florida on this 4th day of October, 2016.



CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record