

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANGELO SCOLIERI and
KATHLEEN SCOLIERI, individually
and as Trustee of the Angelo Scolieri
Revocable Insurance Trust UTA
August 23, 2007

Plaintiffs,

v.

Case No: 2:16-cv-690-FtM-38CM

JOHN HANCOCK LIFE
INSURANCE COMPANY (U.S.A.)
and FIRST INSURANCE
FUNDING CORP.,

Defendants.

ORDER

This matter comes before the Court upon review of the Joint Motion to Postpone April 6, 2017 Deadline to Complete Mediation (Doc. 55) filed on March 17, 2017, and Plaintiffs' Memorandum in Opposition to Defendants' Joint Motion to Postpone April 6 Deadline to Complete Mediation (Doc. 58) filed on March 22, 2017. Defendants seek to extend the mediation deadline of April 6, 2017 until fourteen days from the date the Court rules on their current pending motions to dismiss. Doc. 55 at 2-3.

On November 2, 2016, the Court issued a Case Management Scheduling Order setting the mediation deadline to February 20, 2017 and the discovery deadline to November 3, 2017. Doc. 34. Although it is generally the Court's practice to set the mediation deadline closer to or after the discovery deadline, in this case the parties

filed a Case Management Report (“CMR”) stating: “The parties have agreed to an early mediation after the initial exchange of discovery requests and document productions, likely during the week of February 20, 2017, depending on the availability of the mediator.” Doc. 25 at 2. Accordingly, the Court set their mediation deadline to February 20, 2017. Doc. 34 at 1. At the time they filed their CMR, Defendant First Insurance Funding Corp. already had a motion to dismiss pending. *See* Docs. 17, 25. Yet, Defendants twice have moved to extend the mediation deadline based on their pending motions to dismiss. Docs. 51, 57. The Court will extend the mediation deadline to November 6, 2017 to coincide with the discovery deadline, however the parties are advised that the Court will not entertain any future motions for extension of this deadline absent extenuating circumstances.

ACCORDINGLY, it is hereby

ORDERED:

Joint Motion to Postpone April 6, 2017 Deadline to Complete Mediation (Doc. 55) is **GRANTED**. The parties shall have up to and including November 6, 2017 to complete mediation in this matter.

DONE and **ORDERED** in Fort Myers, Florida on this 31st day of March, 2017.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record