

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

RAYMOND FONTANEZ, an
individual

Plaintiff,

v.

Case No: 2:16-cv-900-FtM-38CM

FEDERAL EXPRESS
CORPORATION,

Defendant.

ORDER

This matter comes before the Court upon review of the parties' Joint Motion to Extend Discovery and Dispositive Motion Deadline [sic] (Doc. 23) filed on September 13, 2017. The parties seek to extend deadlines for conducting discovery from October 16, 2017 to December 1, 2017 and filing dispositive motions from November 30, 2017 to February 2, 2018. Doc. 23 at 1-2. The parties also wish to delay the trial until the Court rules on any dispositive motions. *Id.* at 2. In support of the motion, counsels allege conflicts with various scheduled appointments and hardships stemming from Hurricane Irma. *Id.*

On March 29, 2017, the Court entered a Case Management and Scheduling Order ("CMSO"), setting the deadline for discovery to October 16, 2017, the deadline for mediation to October 31, 2017, and the deadline for dispositive motions to November 30, 2017. Doc. 20 at 1-2. The CMSO further set the deadline for the parties to meet to prepare a final pretrial statement to January 19, 2018 and the

deadline for the final pretrial statement and all other motions to February 2, 2018. *Id.* at 2. The final pretrial conference currently is scheduled for February 23, 2018 with a trial term of March 5, 2018. *Id.*

Rule 16 requires a showing of good cause for modification of a court's scheduling order. Fed. R. Civ. P. 16(b)(4). Here, the Court finds good cause to grant in part the requested extension based on the parties' representations. *See* Doc. 20. Furthermore, this is the first extension of the CMSO deadlines, and both parties agree to the extension. *Id.* at 1. Accordingly, the Court will provide the parties with sixty (60) day extensions to the deadlines for discovery and dispositive motions. Moreover, the court will *sua sponte* extend the remaining deadlines to accommodate the requested extensions. The Court expects the parties to exercise their diligence in meeting the extended deadlines to avoid the need to file additional motions for extension.

ACCORDINGLY, it is hereby

ORDERED:

1. Joint Motion to Extend Discovery and Dispositive Motion Deadline [sic] (Doc. 23) is **GRANTED IN PART**.

2. An amended case management and scheduling order will be issued by separate order.

DONE and **ORDERED** in Fort Myers, Florida on this 6th day of October, 2017.



CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record