

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

JOHN COTTAM,

Plaintiff,

v.

Case No: 5:16-cv-413-Oc-30PRL

DOUGLAS PELTON

Defendant.

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**ORDER**

On September 13, 2017, Plaintiff filed a motion seeking a 60-day extension of the September 29, 2017 discovery deadline. (Doc. 93). In efforts to better understand what discovery was still needed and to determine an appropriate timeframe to complete discovery, the Court set this matter for hearing on September 27, 2017 (two days before the scheduled close of discovery). (Doc. 98). Plaintiff then filed an emergency motion to delay the hearing and to extend the discovery deadline. (Doc. 99).

After reviewing all of the papers filed, the Court is satisfied that it can rule on the motion without the necessity of a hearing. Accordingly, Plaintiff's motion to delay the hearing (Doc. 99) is **GRANTED**. The hearing scheduled for **September 27, 2017** is hereby **CANCELED**.

In reading Plaintiff's motion to extend discovery (Doc. 93) and the subsequent filings, it is clear that Plaintiff has not diligently pursued discovery. Indeed, it is unclear what if any discovery Plaintiff has taken in the past three months since the Court granted his first request to extend the deadline. Plaintiff's motion simply outlines discovery he plans to take or motions that he intends to file.

Under these circumstances, the requested 60-day extension is not warranted. The Court will nonetheless, grant Plaintiff **one last** extension until **October 27, 2017**.<sup>1</sup> Plaintiff should carefully consider what discovery he still needs to complete and coordinate dates and times with opposing counsel. In scheduling depositions, Plaintiff should be aware that pursuant to Local Rule 3.02, “a party desiring to take the deposition of any person upon oral examination shall give at least fourteen (14) days notice in writing to every other party to the action and to the deponent (if the deponent is not a party.)”

**DONE** and **ORDERED** in Ocala, Florida on September 22, 2017.



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PHILIP R. LAMMENS  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties

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<sup>1</sup> This does not extend or alter any other case deadlines.