

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MONICA SALGUERO TRATURYK,

Plaintiff,

v.

Case No: 6:15-cv-1347-Orl-40TBS

WESTERN-SOUTHERN LIFE
ASSURANCE COMPANY,

Defendant.

ORDER

For the following reasons, Plaintiff's Motion for Thirty (30) Day Extension of Time to Serve Plaintiff's Expert Disclosures Pursuant to the Pretrial Scheduling Order [DE No. 22] and Fed. R. Civ. P. 26(a)(2) (Doc. 36) is **DENIED**.

Local Rule 3.01(a) requires that all motions contain "a memorandum of legal authority in support of the request." The motion does not include a memorandum of law.

Local Rule 3.01(g) requires that most motions (including this one), include a certification that before the motion was filed, counsel conferred and that as a result of that conference, the opponent does, or does not oppose the motion. The pending motion does not contain the certification required by Local Rule 3.01(g).

The Case Management and Scheduling Order ("CMSO") governing the case provides:

2. Extensions of Other Deadlines Disfavored - Motions for an extension of other deadlines established in this order, including motions for an extension of the discovery period, are disfavored. The deadline will not be extended absent a showing of good cause. Fed. R. Civ. P. 16(b). Failure to complete discovery within the time established by this Order shall not constitute good cause for continuance. A motion to

extend an established deadline normally will be denied if the motion fails to recite that: 1) the additional discovery is necessary for specified reasons; 2) all parties agree that the extension will not affect the dispositive motions deadline and trial date; 3) all parties agree that any discovery conducted after the dispositive motions date established in this Order will not be available for summary judgment purposes; and 4) no party will use the granting of the extension in support of a motion to extend another date or deadline. The movant must show that the failure to complete discovery is not the result of lack of diligence in pursuing discovery. Local Rule 3.09(b). The filing of a motion for extension of time does not toll the time for compliance with deadlines established by Rule or Order.

(Doc. 22 at 6). Plaintiff's motion does not satisfy the requirements of the CMSO.

DONE and ORDERED in Orlando, Florida on February 19, 2016.


THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to Counsel of Record