

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

WILLIAM KIRKLAND and STANLEY  
KIRKLAND,

Plaintiffs,

v.

Case No: 8:14-cv-1715-T-24TGW

MOSAIC FERTILIZER, LLC, ARNOLD  
LANIER, ANDREW MCGUCKIN, JAMIE  
WRIGHT, MICHAEL LAKE and  
THOMAS ABBOTT,

Defendants.

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**ORDER**

This cause comes before the Court on Plaintiffs' Opposed Motion to Extend Discovery Deadline (Dkt. 91), Defendants Lanier, McGuckin, Wright, and Lake's Response (Dkt. 93), and Defendant Mosaic Fertilizer, LLC's Response (Dkt. 95). The Court, having reviewed the motion, responses, and being otherwise advised, concludes that the motion should be granted in part and denied in part.

This is Plaintiffs' second motion to extend the discovery deadline. On August 11, 2015, the Court granted Plaintiffs' motion for extension of time to complete discovery (Dkt. 86), and extended the discovery deadline to October 2, 2015 (Dkt. 87). Plaintiffs' instant motion requests a 30-day extension of the discovery deadline to conduct depositions of Defendant Jamie Wright; Deputy Manny Martinez; Officer Thomas Abbott; Securitas, a private security firm; and Tom

Meyers, Vice President of Mining for Mosaic. Defendants oppose Plaintiffs' motion to extend discovery as to four of the five requested depositions.<sup>1</sup>

The Court has determined that Plaintiffs' motion to extend the discovery deadline should be granted for the limited purpose of conducting the deposition of Defendant Jamie Wright. With regard to Plaintiffs' request to conduct the depositions of Martinez, Abbott, Securitas, and Meyers, Plaintiffs have failed to show good cause to extend discovery for this purpose. *See* Fed. R. Civ. P. 16(b); *Sosa v. Airprint Sys., Inc.*, 133 F.3d 1417, 1418 (11th Cir.1998) (finding that the good cause standard precludes modification of a scheduling order unless the schedule cannot be met despite the diligence of the party seeking the extension).

Accordingly, it is **ORDERED AND ADJUDGED** that Plaintiffs' Opposed Motion to Extend Discovery Deadline (Dkt. 91) is granted to the extent that Plaintiffs' shall have until November 12, 2015 to conduct the deposition of Defendant Jamie Wright, and denied as to Plaintiffs' request to conduct depositions of Martinez, Abbott, Securitas, and Meyers.

**DONE AND ORDERED** at Tampa, Florida, this 13th day of October, 2015.

  
SUSAN C. BUCKLEW  
United States District Judge

Copies To: Counsel of Record and Parties

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<sup>1</sup> Defendants to do not oppose Plaintiffs' motion to extend discovery for the purpose of deposing Defendant Wright.