

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

BRADLEY JONES, on behalf of  
himself and others similarly  
situated,

Plaintiffs,

v.

Case No. 8:17-cv-54-T-24 JSS

RS&H, INC.,

Defendant.

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**ORDER**

This cause comes before the Court on Plaintiffs' Motion to Extend Deadlines. (Doc. No. 31). Defendant opposes the motion. (Doc. No. 32). As explained below, the motion is **DENIED**.

Plaintiffs filed this age discrimination lawsuit on January 6, 2017. On March 24, 2017, this Court issued a scheduling order setting forth the following deadlines: Plaintiffs' expert report due by October 13, 2017, discovery to be completed by December 29, 2017, and trial in June of 2018. (Doc. No. 19).

On October 13, 2017—the date Plaintiffs' expert report was due—Plaintiffs filed the instant motion to extend deadlines. The motion was not properly filed, and so Plaintiffs re-filed it on October 18, 2017. In the motion, Plaintiffs ask the Court to extend all pretrial deadlines, as well as the trial, by six months.

In support of the requested extension, Plaintiffs submit emails between counsel attempting to schedule depositions. Specifically, on August 11, 2017, Plaintiffs' counsel emailed Defendant's counsel in an attempt to schedule the deposition of Defendant's corporate

representative. On September 6, 2017, Defendant's counsel responded by asking if Plaintiffs were available between October 10–12 and/or between October 16–20 for both the corporate representative's deposition, as well as Plaintiff Jones' deposition. On September 8, 2017, Plaintiffs' counsel responded that she was not available those dates, as she was in trial. Therefore, she asked Defendant to propose dates in late October or early November. Additionally, on October 3, 2017, Plaintiffs' counsel requested that Defendant consent to a joint motion to extend the discovery and pretrial deadlines. On October 5, 2017, Defendant's counsel responded that an extension was not necessary, and she asked Plaintiffs' counsel to provide dates in November for the deposition of the corporate representative, as well as for Plaintiffs Jones, Ashtari, and Taylor. On October 6, 2017, Plaintiffs' counsel responded that she believed that a four-to-six week extension to the discovery and pretrial deadlines was necessary, since she needed to schedule other depositions and needed more data for an expert to review and provide a report. Plaintiffs' counsel did not provide any November dates in that email.

Defendant opposes the Plaintiffs' motion to extend deadlines, arguing that Plaintiffs have not shown good cause for it. In order to show good cause for the requested extension, Plaintiffs must show that the deadlines cannot be met despite their diligence. See Sosa v. Airprint Systems, Inc., 133 F.3d 1417, 1418 (11th Cir. 1998). Plaintiffs have not made such a showing.

In this case, Plaintiffs did not attempt to schedule the corporate representative's deposition until August 11th, and when Defendant responded with October dates on September 6th, Plaintiffs stated that they wanted to schedule it in late October or early November. Plaintiffs waited more than four months after the scheduling order was issued to attempt to schedule this deposition and did not diligently attempt to schedule it prior to the expert disclosure deadline,

despite Plaintiffs' counsel's acknowledgment that she needed this deposition information in order to seek an expert report. Furthermore, the discovery deadline in this case is December 29th, and it appears to this Court that the necessary, identified depositions can be completed before that deadline. Finally, the Court questions why Plaintiffs seek a six month extension to the deadlines when their counsel stated in her October 6th email that a four-to-six week extension was all that was needed.

Accordingly, the Court finds that Plaintiffs have not shown good cause for the requested extension. Therefore, it is ORDERED AND ADJUDGED that Plaintiffs' Motion to Extend Deadlines (Doc. No. 31) is **DENIED**.

**DONE AND ORDERED** at Tampa, Florida, this 30th day of October, 2017.

  
SUSAN C. BUCKLEW  
United States District Judge

Copies to:  
Counsel of Record