

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

ANTHONY NUNES, JR., ANTHONY
NUNES, III, and NUSTAR FARMS,
LLC,

Plaintiffs,

vs.

RYAN LIZZA and HEARST
MAGAZINE MEDIA, INC.,

Defendants.

No. 20-cv-4003-CJW

ORDER

This case came before the Court pursuant to Defendants' Unresisted Motion to Extend Deadlines for Expert Disclosures. (Doc. 109.) For the following reasons, the Defendants' Motion is **granted**.

A scheduling order "may be modified only for good cause and with the judge's consent." FED. R. CIV. P. 16(b)(4). *See also* Local Rule 16(f) ("A motion to extend a scheduling order deadline must demonstrate good cause for the requested extension.") "The primary measure of good cause is the movant's diligence in attempting to meet the order's requirements." *Rahn v. Hawkins*, 464 F.3d 813, 822 (8th Cir. 2006). In ruling on motions to extend deadlines and continue trials, the Court is guided by Rule 1 of the Federal Rules of Civil Procedure, which requires the Court and the parties to construe the rules "to secure the just, speedy, and inexpensive determination of every action and proceeding." FED. R. CIV. P. 1. *See Rouse v. Farmers State Bank of Jewell, Iowa*, 866 F. Supp. 1191, 1199 (N.D. Iowa 1994) (holding that adherence to reasonable deadlines is critical to maintaining integrity of court proceedings).

Defendants seek to extend all expert deadlines. The Court finds Defendants have established that good cause exists to modify the scheduling order. Accordingly, the

Court will extend the deadlines to the dates proposed in the Motion. The following deadlines will now govern this case:

Defendants' expert: July 30, 2021

Plaintiffs' rebuttal expert: August 16, 2021

Further the Discovery deadline will be extended to August 27, 2021 for the limited purpose of (i) depositions of Defendants' experts, and (ii) depositions of Plaintiffs' rebuttal experts.

All other deadlines remain unchanged. The parties need to comply with these revised deadlines and should consider the trial date to be firm. No future extensions of time will be granted unless there is a showing of exceptional circumstances.

IT IS SO ORDERED this 3rd day of June, 2021.



Mark A. Roberts, United States Magistrate Judge
Northern District of Iowa