

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

CONNIE REMY,

Plaintiff,

v.

HCC LIFE INSURANCE COMPANY,

Defendant.

Case No. 17-2267-CM

MEMORANDUM AND ORDER

Before the Court is Plaintiff's Motion to Compel Deposition Testimony and for Continuance of Discovery Deadlines (ECF 14) and the parties' Joint Status Report and Motion to Amend Scheduling Order to Extend Certain Deadlines (ECF 15). In their joint motion, the parties inform the Court they have resolved the dispute that prompted Plaintiff to file her motion to compel. Therefore, that motion is denied as moot.

The parties have submitted a proposed revised scheduling order. For good cause, the Court grants the motion in part and denies the motion in part, and revises the scheduling order as follows:

SUMMARY OF DEADLINES AND SETTINGS	
Event	Deadline/Setting
All Fact discovery completed	May 1, 2018
Experts disclosed by plaintiff	April 22, 2018
Experts disclosed by defendant	May 22, 2018
Rebuttal experts disclosed	June 1, 2018

A motion to revise the scheduling order is governed by Fed. R. Civ. P. 16(b)(4), which provides that “[a] schedule may be modified only for good cause and with the judge’s consent.” The parties do not provide the Court any reason or justification to extend the deadline to amend or join additional parties. The Court has already extended that deadline twice.¹ The current deadline expired on February 2, 2018. However, the parties filed their joint motion almost two weeks later, on February 14, 2018. Consequently, the deadline to amend or join additional parties does not qualify as one of the “remaining deadlines.”

Additionally, the parties indicate in their motion that the revised deadlines will not impact the pretrial, dispositive motion, or trial deadlines, and the parties do not want to extend or alter those deadlines. However, extending the deadline for motions to amend or join additional parties reopens the possibility that those deadlines would be impacted. Because the parties have not established good cause, the Court declines to extend the deadline to amend or join additional parties.

IT IS THEREFORE ORDERED BY THE COURT that Plaintiff’s Motion to Compel Deposition Testimony and for Continuance of Discovery Deadlines (ECF 14) is **denied as moot**.

IT IS FURTHER ORDERED that the parties’ Joint Status Report and Motion to Amend Scheduling Order to Extend Certain Deadlines (ECF 15) is **granted in part and denied in part**. The Revised Scheduling Order, as outlined above, now controls the deadlines in this case.

Dated: March 1, 2018, at Kansas City, Kansas.

S/ Gerald L. Rushfelt
Gerald L. Rushfelt
U.S. Magistrate Judge

¹ See ECF 11 and ECF 13.