

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CATHERINE P. ALFORD, ET AL.

CIVIL ACTION

VERSUS

NO. 13-5457

CHEVRON U.S.A. INC., ET AL.

SECTION "R" (3)

ORDER AND REASONS

Before the Court is plaintiff Catherine P. Alford's motion to continue the trial date and pretrial deadlines. Defendant Exxon concurs in the request, and defendant Chevron opposes it. Trial is presently set for October 3, 2016. Under Federal Rule of Civil Procedure 16(b), a scheduling order "may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b). Whether to grant or deny a continuance falls within the sound discretion of the trial court. *United States v. Alix*, 86 F.3d 429, 434 (5th Cir. 1996). In deciding whether to grant a continuance, the Court's "judgment range is exceedingly wide," for it "must consider not only the facts of the particular case but also all of the demands on counsel's time and the court's." *Streber v. Hunter*, 221 F.3d 701, 736 (5th Cir. 2000).

Plaintiff argues that a continuance, and respite from the need to depose numerous expert witnesses, is necessary to facilitate settlement discussions.

As part of these discussions, a mediation was scheduled for June 29, 2016. Chevron opposes any continuance and argues that the need to depose expert witnesses is routine in litigation and therefore does not constitute good cause. Having considered the arguments of the parties, the Court finds that there is good cause to continue the trial date and pretrial deadlines. The Court therefore GRANTS plaintiff's motion to continue trial and pretrial deadlines. The Court also sets an in-person status conference to be held in chambers on October 3, 2016 at 2:00 p.m. for the purpose of setting pretrial conference and trial dates and discussing limitations on expert witnesses.

New Orleans, Louisiana, this 1st day of July, 2016.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE