

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

MUKHTAR KHAN, ET AL

CIVIL ACTION

VERSUS

NUMBER 08-263-FJP-SCR

BAI JINSONG, ET AL

RULING ON MOTION FOR RECONSIDERATION

Before the court is the Defendants' Motion for Reconsideration. Record document number 15. The motion is opposed.¹

Defendants seek reconsideration of the Ruling on Motion to Amend Scheduling Order issued January 26, 2009.² In that ruling, the court found that the plaintiff had shown good cause to extend the scheduling order deadlines, but there was no good cause to extend the deadlines for the defendants.³

The memoranda filed in connection with this motion show that the original ruling is correct. As explained by the plaintiff, the defendants have not diligently pursued the discovery they claim to need. A party cannot manufacture good cause by waiting until the virtually the end of the discovery period and then assert that it cannot complete its discovery in the time remaining.

¹ Record document number 20. Defendants filed a supplemental supporting memorandum. Record document number 25. Plaintiff filed a supplemental opposition memorandum. Record document number 28.

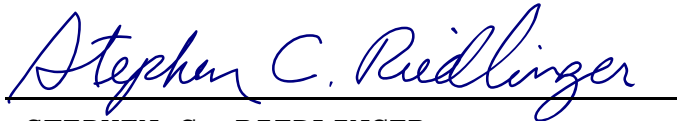
² Record document number 17.

³ Rule 16, Fed.R.Civ.P., requires a showing of good cause to extend a scheduling order deadline.

Insofar as the plaintiff's Rule 35, Fed.R.Civ.P., examination is concerned, the plaintiff agreed to extend the time for production of the report required by Rule 35.⁴ No additional relief is warranted.

Accordingly, the Defendants' Motion for Reconsideration is denied.

Baton Rouge, Louisiana, September 17, 2009.

A handwritten signature in blue ink that reads "Stephen C. Riedlinger". The signature is written in a cursive style and is positioned above a horizontal line.

STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE

⁴ Record document number 28, p. 2.