

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Robert Alexander, a citizen of
Nevada,

Plaintiff,

vs.

MINUTE ORDER

Charles F. Bond, a citizen of
Minnesota; and COKeM International,
Ltd., a Minnesota corporation,

Defendants.

Civ. No. 04-1323 (PAM/RLE)

* * * * *

On October 22, 2004, a Pretrial Order was issued in the above-entitled matter.

Paragraph I of the Pretrial Order reads as follows:

“ . . . Disputes with regard to pre-discovery or discovery shall be called immediately to the Court’s attention by the making of an appropriate Motion, and shall not be relied upon by any party as a justification for not adhering to this Pretrial Schedule. No further or additional discovery shall be permitted after the above date except by leave of the Court for good cause shown, and agreements between counsel which contravene the provisions of this Schedule will not be recognized....”

Exhibit 3

The Pretrial Order dated October 22, 2004, advised, among other things, that discovery is to terminate on June 1, 2005.

On February 14, 2005, the parties filed a Stipulation to Amend the Pretrial Schedule [Docket No. 31], which would extend each of the deadlines by an additional ninety (90) days. Not a whit of good cause is offered in support any of the requested extensions, and we deny the Stipulation to extend any deadlines further. Over two (2) months are available to the parties to complete discovery, before the exhaustion of discovery period allowed by the District Court, the Honorable Paul A. Magnuson presiding. In conclusory tone, and without any factual adornment, counsel simply advise, in support of their Stipulation, that “an unforeseen delay in discovery has affected the progression of this matter.” Such a showing is wholly insufficient to constitute the “good cause” requirement of Rule 16(b), Federal Rules of Civil Procedure. Counsels’ attention is drawn to Local Rule D. Minn. LR 16.3.

NOW, THEREFORE, It is --

ORDERED:

That the parties’ Stipulation to Amend Pretrial Schedule [Docket No. 44] is DENIED.

BY THE COURT:

Dated: March 9, 2005

s/ Raymond L. Erickson

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Raymond L. Erickson
UNITED STATES MAGISTRATE JUDGE

Kathy Burns - Activity in Case 0:04-cv-01323-PAM-RLE Alexander v. Bond et al "Order"

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MINUTE ORDER That the parties' Stipulation to Amend Pretrial Schedule [Docket No. 44] is DENIED. Signed by Magistrate Judge Raymond L Erickson on 3/9/05. (JMH)

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