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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GALO RECALDE, )  
 )  
Plaintiff(s), )  
 )  
vs. )  
 )  
MARRIOTT OWNERSHIP RESORTS, INC, et al., )  
 )  
Defendant(s). )  
\_\_\_\_\_ )

Case No. 2:15-cv-01627-JCM-NJK  
ORDER  
(Docket No. 37)

Pending before the Court is Defendants’ emergency motion to extend the rebuttal expert deadline. Docket No. 37. Plaintiff filed a notice of non-opposition. Docket No. 38.<sup>1</sup> This motion implicates two quandaries that the Court’s rules are designed to eliminate. First, Defendants’ untimely motion to extend this deadline is largely the result of the parties’ course of conduct in “informally agree[ing]” to modify the scheduling order without Court oversight or approval. *See* Docket No. 37 at 5. The Court reminds the parties that they are not empowered to alter the Court’s scheduling order without Court approval. *See, e.g.*, Local Rule 7-1(b) (“Any stipulation that would interfere with any time set for completion of discovery . . . may be made only with the approval of the Court”). Second, Defendants have disrupted the Court’s orderly functioning by filing an emergency motion despite the fact that the “emergency” situation is of their own making. The Court reminds Defendants that the filing

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<sup>1</sup> The Court previously denied the stipulation to extend this deadline because it was untimely and no showing of excusable neglect had been made. *See* Docket No. 36 at 1.

1 of an emergency motion creates a host of problems and are disfavored. *See Cardoza v. Bloomin'*  
2 *Brands, Inc.*, \_\_ F. Supp. 3d \_\_\_\_, 2015 WL 6123192, \*2, \*4 (D. Nev. Oct. 16, 2015); *see also* Local  
3 Rule 7-5(d).

4 Notwithstanding the above, and as a one-time courtesy to counsel, the Court will **GRANT** the  
5 pending motion and extend the deadline for rebuttal experts to April 29, 2016. Counsel should not  
6 anticipate such leniency moving forward.

7 IT IS SO ORDERED.

8 DATED: March 31, 2016

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NANCY J. KOPPE  
United States Magistrate Judge