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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SAMUEL JENKINS,  
Plaintiff,

v.

OFFICE DEPOT, INC.,  
Defendant.

Case No. 2:21-cv-00204-APG-NJK

**ORDER**

[Docket No. 16]

Pending before the Court is the parties' stipulation to extend discovery deadlines. Docket No. 16. The parties request a 60-day extension of discovery deadlines. *Id.* at 2–3.

A request to extend deadlines in the Court's scheduling order must be supported by a showing of good cause for the extension. LR 26-3; *see also Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608 (9th Cir. 1992).<sup>1</sup> The "good cause" inquiry focuses mainly on the movant's diligence. *Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294–95 (9th Cir. 2000). Good cause to extend a discovery deadline exists "if it cannot reasonably be met despite the diligence of the party seeking the extension." *Johnson*, 975 F.2d at 609. While prejudice to the opposing party may also be considered, when the movant "fail[s] to show diligence, 'the inquiry should end.'" *Coleman*, 232 F.3d at 1295 (quoting *Johnson*, 975 F.2d at 609). The Court has broad discretion in supervising pretrial litigation. *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002).

On March 18, 2021, the Court issued a scheduling order setting deadlines for this case. Docket No. 14. The parties, however, have failed to conduct any discovery since the Court issued the scheduling order. *See* Docket No. 16 at 1–2. Further, Defendant has not even made initial

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<sup>1</sup> The "good cause" standard in Local Rule 26-3 is the same as the standard governing modification of the scheduling order under Fed. R. Civ. P. 16(b).

1 disclosures. *See id.* The parties, therefore, have failed to demonstrate the diligence required for  
2 an extension of discovery deadlines. The parties also fail to comply with the Court's Local Rules  
3 requiring a specific statement of discovery that remains to be completed. *See* LR 26-3(b).

4 Accordingly, the parties' stipulation, Docket No. 16, is hereby **DENIED** without prejudice.

5 IT IS SO ORDERED.

6 Dated: June 4, 2021

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10 Nancy J. Koppe  
11 United States Magistrate Judge  
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