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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DIAMOND X RANCH LLC,)
)
Plaintiff,)
)
vs.)
)
ATLANTIC RICHFIELD COMPANY,)
)
Defendant.)
_____)

3:13-cv-00570-MMD-WGC

ORDER
re: Doc. # 111

Before the court is the motion of Plaintiff Diamond X Ranch LLC (Diamond) to modify the Scheduling Order. Diamond seeks to adjust the deadlines for completion of discovery, amending pleadings/adding parties and disclosure of experts/rebuttal experts. (Doc. # 111.)

Defendant Atlantic Richfield Company (Atlantic Richfield) has responded. Atlantic Richfield does not oppose Diamond’s request to modify the deadlines for completion of discovery/expert disclosures. However, Atlantic Richfield does oppose any extensions for amending the pleadings or adding parties. (Doc. # 112.)

Diamond has replied and argues that due to the unique procedural and factual questions inherent in this litigation the deadline for amending the pleadings or adding parties should be extended as well. (Doc. # 113.)

Agreed Upon Extensions

Due to the parties’ concurrences, the following deadlines are imposed:

- Fact Discovery Deadline: **December 18, 2015**
- Disclosure of Experts: **January 15, 2016**

1 Disclosure of Rebuttal Experts: **March 18, 2016**
2 Expert Discovery Deadline: **May 16, 2016**
3 Dispositive Motions Deadline: **July 15, 2016**
4 Joint Pretrial Order: **August 16, 2016.**

5 If a dispositive motion is filed, the Joint Pre-Trial Order shall be due **thirty (30)** days
6 after a decision on the dispositive motion.

7 Disputed Extensions: Amending the Pleadings or Adding Parties

8 As discussed above, the parties dispute whether the court should modify the deadlines for
9 amending the pleadings or adding parties. In view of the unique nature of this case, the various motions
10 which are pending (see, e.g., Docs. ## 76, 87, 97, and the parties’ “notices at Docs. ## 109 and 110), the
11 lack of prejudice to Atlantic Richfield (which has yet to file an answer and/or counterclaim (if any) to
12 Plaintiff’s complaint), the court finds that there is good cause to also amend the deadlines for amending
13 the pleadings or to add parties.¹

14 At the last status conference, after discussing the complicated procedural status of this case, the
15 court stated it “recognizes further modification to the scheduling order may be necessary.” (Doc. # 108.)
16 The court made specific reference to the outstanding motion for leave to amend (Doc. # 97) which may
17 very well impact the outstanding motion to dismiss (Doc # 87). *Id.*

18 Therefore, the court concurs with Plaintiff that a new deadline for amending the pleadings or
19 adding parties should be adopted and any motions to effect such amendments, shall be made by
20 **November 6, 2015.**²

21 **IT IS SO ORDERED.**

22 DATED: June 30, 2015.

23 
24 WILLIAM G. COBB
UNITED STATES MAGISTRATE JUDGE

25 _____
26 ¹ As Diamond points out, it is “not currently moving the amend its complaint, but is seeking to “preserve” its right
to do so pending a favorable disposition of its recently-filed water rights claim with the Water Master. (Doc. # 113 at 3.)

27 ² The court further observes, however, that additional amendments or revisions to the scheduling order will likely
28 be sought by one or both of the parties. The court is not prejudging those possible amendments but just commenting on the
inevitability of them.