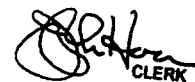


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

FILED

JAN 30 2013


CLERK

FEDERAL TRADE COMMISSION,

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CIV 11-3017-RAL

Plaintiff,

ORDER DENYING
PLAINTIFF'S MOTION TO
RECONSIDER AMENDED
SCHEDULING ORDER

vs.

PAYDAY FINANCIAL, LLC, et al.,


Defendants.

This Court has had before it Defendants' Motion for Partial Summary Judgment on Count VI for a number of months. Despite beginning work on a decision in October of 2012, after oral argument on the motion during that month and despite expecting to have an opinion and order on the issue completed during 2012, this Court has struggled with its decision, and has needed to focus on numerous other cases, some of which required more immediate attention. Mindful of this Court's own cause of delay in this case, this Court, on November 14, 2012, entered a Fourth Amended Scheduling Order, Doc. 86, granting extension of time of deadlines more generous than the parties had sought. Plaintiff filed a Motion to Reconsider Amended Scheduling Order, Doc. 88, asking the Court to scale back the deadlines in line with what the parties had sought. A district court has broad discretion to determine whether and how to amend a scheduling order. See Rahn v. Hawkins, 464 F.3d 813, 822-23 (8th Cir. 2006) (holding the district court has discretion to determine whether and when good cause exists to modify scheduling order.). This Court considers the extension of deadlines it granted to be appropriate in light of the delay caused by this Court's machinations on how to rule on Defendants' Motion for Partial Summary Judgment. For good cause, it is hereby

ORDERED that Plaintiff's Motion to Reconsider Amended Scheduling Order, Doc. 88,
is denied.

Dated January 29, 2013.

BY THE COURT:



ROBERTO A. LANGE
UNITED STATES DISTRICT JUDGE