IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ROSA MONTES RAMOS, *individually, and as the Administratrix of the Estate of* JOSE ERNESTO RAMOS; ROSA CRISTINA RAMOS; JOE EDWARD RAMOS; JOHN AARON RAMOS; RICARDO JIMMY RAMOS; and VICENTE CHAIRES II;	§	
Plaintiffs,	§	
v.	§	**CIVIL ACTION NO. B-08-122**
OMAR LUCIO, CAMERON COUNTY SHERIFF; ROBERT OYERVIDEZ; JUAN CORTEZ, III; FNUK GARCIA; LTD. RAUL RODRIGUEZ; CAMERON COUNTY DEPUTIES; OFFICE OF CONSTABLE, PRECINCT 6, CAMERON COUNTY, TEXAS; CONSTABLE MERCED BURNIAS, PRECINCT 6, CAMERON COUNTY, TEXAS; and SGT. REFUGIO PEREZ, PRECINCT 6 DEPUTY CONSTABLE for CAMERON COUNTY, TEXAS;	§	
Defendants.	§	

OPINION & ORDER

BE IT REMEMBERED that on September 24, 2008, the Court considered the Plaintiffs' and Defendants' Agreed Motion and Memorandum in Support of Extension of Time Before Deadline to Designate and Produce Report. Dkt. No. 44.

In the instant motion, the parties request a 37-day extension of time to produce their expert reports. *Id.* If granted, a 37-day extension would require a modification of the

Court's Scheduling Order regarding the dates scheduled for the completion of mediation and the completion of discovery. *See* Dkt. No. 34. Amendment of a court's scheduling order is governed by the Federal Rules of Civil Procedure. "Both Rule 16 and the Reform Act clearly establish that district judges are under an obligation to manage civil cases to ensure, in part, their speedy resolution." Chiropractic Alliance of N.J. v. Parisi, 164 F.R.D. 618, 621 (D.N.J. 1996). Under Rule 16, "[a] schedule shall not be modified except upon a showing of good cause and by leave of the district judge." FED. R. CIV. P. 16(b).

Based on the parties' representations, the Court finds that the parties have acted diligently to complete discovery and designate experts for this case. If an extension of time to file the expert reports were not granted at this time, the parties would be forced to litigate this matter without adequate preparation. Furthermore, the requested extension will not disturb the dates scheduled for trial. Therefore, the Court determines that there is good cause for granting the requested extension of time.

Based on the foregoing, the Court **GRANTS** the Plaintiffs' and Defendants' Agreed Motion and Memorandum in Support of Extension of Time Before Deadline to Designate and Produce Report. Dkt. No. 44. The case is therefore **RE-SET** as follows:

The plaintiffs' experts, if any, will be named with a report furnished by:
October 17, 2008, at 9:00 a.m.

The defendants' experts, if any, will be named with a report furnished by:
November 17, 2008, at 9:00 a.m.

Depositions of expert witnesses must be completed by:
December 5, 2008, at 9:00 a.m.

Parties to mediate case by: December 15, 2008, at 9:00 a.m.

DONE at Brownsville, Texas, this 24 day of September, 2008.

Hilda G. Tagle
United States District Judge