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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SABELITA HAWKINS,  
  
Plaintiff,  
  
v.  
  
UNITED STATES OF AMERICA,  
et al.,  
  
Defendants.

CASE NO. C16-0498JLR  
  
ORDER GRANTING IN PART  
AND DENYING IN PART  
STIPULATED MOTION

**I. INTRODUCTION**

Before the court is the parties' stipulated motion to extend certain discovery deadlines. (Stip. Mot. (Dkt. # 11).) Having considered the stipulated motion, the relevant portions of the record, and the applicable law, the court GRANTS in part and DENIES in part the parties' stipulated motion.

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## II. BACKGROUND & ANALYSIS

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2 Plaintiff Sabelita Hawkins filed this lawsuit on April 6, 2016. (*See* Compl. (Dkt.  
3 # 1).) In their joint status report, the parties represented that the case would be ready for  
4 trial on August 21, 2017, and proposed a discovery cut-off 120 days before trial. (JSR  
5 (Dkt. # 7) at 2, 4.) In its scheduling order, the court set trial to begin on September 25,  
6 2017, the dispositive motions deadline on June 27, 2017, the discovery cut-off on May  
7 30, 2017, and the disclosure of expert testimony on March 29, 2017. (Sched. Order (Dkt.  
8 # 8) at 1.)

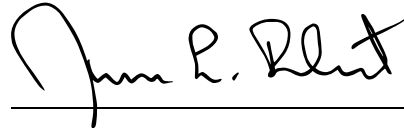
9 Pursuant to Federal Rule of Civil Procedure 16(b)(4), “[a] schedule may be  
10 modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4).  
11 “Good cause” for purposes of Rule 16 focuses on the diligence of the party seeking to  
12 modify the pretrial scheduling order. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d  
13 604, 607-08 (9th Cir. 1992). Parties must “diligently attempt to adhere to that schedule  
14 throughout the subsequent course of the litigation.” *Jackson v. Laureate, Inc.*, 186  
15 F.R.D. 605, 607 (E.D. Cal. 1999); *see Marcum v. Zimmer*, 163 F.R.D. 250, 254 (S.D. W.  
16 Va. 1995). In part, the “good cause” standard requires the parties to demonstrate “the  
17 development of matters which could not have been reasonably foreseen or anticipated at  
18 the time of the Rule 16 scheduling conference.” *Jackson*, 186 F.R.D. at 608.

19 Further, the court’s scheduling order states that the dates are “firm” and that “[t]he  
20 court will alter these dates only upon good cause shown.” (Sched. Order at 2.) The  
21 scheduling order also states that “failure to complete discovery within the time allowed is  
22 not recognized as good cause.” (*Id.*)



1 expert disclosure deadline to April 30, 2017, but DENIES the parties' motion to extend  
2 the discovery cut-off and other discovery-related dates.

3 Dated this 17th day of March, 2017.

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6 JAMES L. ROBART  
7 United States District Judge  
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