

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ADVANCED HAIR RESTORATION, LLC,

11 Plaintiff,

12 v.

13 HAIR RESTORATION CENTERS, LLC,

14 Defendant.
15

Case No. C17-709RSM

ORDER DECLINING TO ENTER
STIPULATION

16 This matter comes before the Court on the parties' Stipulated Motion for Entry and
17 Modification of Case Scheduling Order. Dkt. #30. The parties submit that good cause exists
18 for a two-month extension of pretrial deadlines because they "have been pursuing discovery but
19 remain in the middle of a discovery dispute that has persisted since October 2017," because
20 they have "attempted to engage in settlement negotiations," and because "it is not realistic for
21 the parties to complete discovery, resolve their disputes, and prepare for trial under the existing
22 case schedule." *Id.*

23
24 Current deadlines in this case are as follows:

25	Deadline for filing motions related to discovery	March 30, 2018
26	Discovery completed by	April 30, 2018
27	Jury Trial Date	August 27, 2018

28 Dkt. #13.

ORDER DECLINING TO ENTER STIPULATION - 1

1 Federal Rule of Civil Procedure 16(b)(4) states that a schedule may be modified only
2 for good cause and with the judge's consent. This Court's Local Rules state:
3

4 The parties are bound by the dates specified in the scheduling
5 order. A schedule may be modified only for good cause and with
6 the judge's consent. Mere failure to complete discovery within the
7 time allowed does not constitute good cause for an extension or
8 continuance.

9 LCR 16(b)(5).

10 The Court has reviewed this Stipulation and the remainder of the record, and finds the
11 parties have failed to set forth a good cause basis for modifying the Scheduling Order as
12 required under Rule 16(b)(4). The existing discovery deadline is two months away. The
13 parties have failed to present sufficient evidence to convince the Court that the discovery issues
14 in this case, either in collecting discovery or resolving disputes related to discovery, cannot be
15 resolved within that time frame. Even if the parties could present such evidence, it would not
16 satisfy Local Rule 16. The parties have not adequately informed the Court of significant
17 scheduling issues not related to discovery. Attempting to engage in settlement negotiations is
18 expected of parties and does not alone constitute good cause to modify a schedule.

19 Given all of the above, the Court DECLINES to enter the parties' Stipulation, Dkt. #30.
20 The Court urges the parties to attempt to resolve their discovery issues within the existing
21 deadlines.
22

23 DATED this 28 day of February, 2018.

24
25 

26 RICARDO S. MARTINEZ
27 CHIEF UNITED STATES DISTRICT JUDGE
28