

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DANIEL CORTES ARIAS,

Plaintiff,

v.

TRAVELERS CASUALTY INSURANCE  
COMPANY OF AMERICA,

Defendant.

No. 2:24-cv-00546-JHC

STIPULATED MOTION TO AMEND  
CASE SCHEDULE & ORDER  
DENYING MOTION

**I. STIPULATED MOTION**

The parties, by and through their undersigned counsel of record, hereby stipulate and jointly request that the Court amend the case schedule (Dkt. 18) pursuant to Fed. R. Civ. P. Rule 6 and LCR 10(g).

**II. LEGAL AUTHORITY**

**A. Applicable Legal Standard**

A [case] schedule may be modified only for good cause and with the judge's consent. Fed. R. Civ. P. 16(b)(4); *see also* LCR 16(b)(6) ("A schedule may be modified only for good cause and with the judge's consent."). The decision to modify a scheduling order is within the

broad discretion of the district court. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607 (9th Cir. 1992).

**B. Good Cause Exists to Extend the Pretrial Deadlines**

Good cause exists for an extension of the deadline for disclosures. The current deadline for expert disclosures is March 31, 2025. The parties have been working together in good faith to set up a panel Independent Medical Examination for the Plaintiff to attend. Given that the Independent Medical Examination is a panel, it is necessary for the doctors' schedules to align. There were a few scheduling conflicts regarding the same that arose over the last few months. However, the examination is now scheduled for April 9, 2025, at 10:30 AM. In light of the same, the parties propose that dates related to experts and discovery be extended by 60 days to ensure adequate time for the experts to draft their reports. However, the parties would like to preserve the current trial date. Accordingly, the parties respectfully request that the deadline for settlement conference be extended by 14 days so that no deadlines overlap. The parties do not seek to move pre-trial deadlines following the settlement conference.

EVENT	CURRENT DATE	PROPOSED DATE
Deadline for Amended Pleadings	March 31, 2025	May 30, 2025
Disclosure of Expert Testimony	March 31, 2025	May 30, 2025
Discovery Motions	April 30, 2025	June 30, 2025
Discovery Completed by	May 30, 2025	July 29, 2025
Dispositive motions and Expert Witness Motions	June 30, 2025	August 29, 2025
Deadline for Settlement Conference	August 28, 2025	September 11, 2025
Motions in Limine	September 15, 2025	September 15, 2025
Agreed Pretrial Order	October 6, 2025	October 6, 2025

Deposition Designations	October 8, 2025	October 8, 2025
Pretrial Conference	October 14, 2025	October 14, 2025
Trial Briefs, Proposed Findings of Fact and Conclusions of Law	October 20, 2025	October 20, 2025
Bench Trial	October 27, 2025	October 27, 2025

DATED this 12<sup>th</sup> day of March 2025.

BRAIN INJURY LAW OF SEATTLE, INC.

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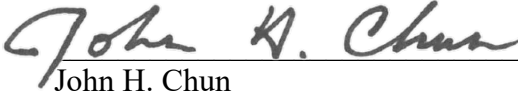
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1 **ORDER**

2 The Court DENIES the motion because the proposal leaves insufficient time between  
3 the deadline for dispositive motions and expert witness motions and the trial date. The  
4 proposal poses the risks of (1) such motions being decided just before trial; and/or (2) the Court  
5 being unable to rule on all such motions before trial. The parties may file another motion to  
6 amend the case schedule. Given the extensions the parties seek, and the time that the Court  
7 needs, it may be advisable to seek a new trial date.

8 DATED this 12th day of March, 2025.  
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12 John H. Chun  
13 United States District Judge  
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