UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CLARK CAPITAL MANAGEMENT GROUP INC.,

Plaintiff,

v. Case No. 14-C-1437

NAVIGATOR PLANNING GROUP LLC, and
NAVIGATOR BROKERAGE GROUP LLC,

Defendants.

ORDER DENYING MOTION TO AMEND SCHEDULING ORDER

The parties have filed a joint motion to amend the scheduling order in the above matter by removing the trial and pre-trial dates and extending all deadlines by 90 days. The parties indicate that the reason for the motion is to allow settlement discussions. They state that their interests would be better served by exhausting settlement efforts before committing significant time and expense of formal discovery and the preparation of expert reports.

The Court shares the parties interests in avoiding unnecessary costs and settling the case early, if possible. Indeed, Rule 1 of the Federal Rules of Civil Procedure directs the Court to construe and administer the rules "to secure the just, speedy, and inexpensive determination of every action and proceeding." Unfortunately, extending trials indefinitely seldom accomplishes either. On January 14, 2015, the Court scheduled this matter for trial more than a year later on March 7, 2016. We are still ten months in advance of the scheduled trial date. The parties have not given any indication why they cannot both pursue settlement discussions and be ready to try the case in the event they are unsuccessful by the scheduled date. The Court is certainly willing to approve

proposed changes to the schedule that will postpone expert disclosure dates and even the discovery deadline to accommodate the trial date. Further consideration to moving the trial can also be considered if and when good cause is shown. Based upon the record now before the Court, however, the Court declines to remove the trial date. The motion is, therefore, DENIED.

SO ORDERED this 6th day of May, 2015.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court