

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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HENRY ROEBEN,

Plaintiff,

v.

THE HOME DEPOT U.S.A., INC.,

Defendant.

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ORDER FOR RESPONSE  
AND TO SHOW CAUSE

13-cv-641-wmc

The court is in receipt of defendant The Home Depot U.S.A., Inc's motion to modify the scheduling order to extend the dispositive motion deadline from August 15, 2014, until September 15, 2014. (Dkt. #25) Under Fed. R. Civ. P. 16(b)(4), a schedule may be modified only for "good cause." Here, defendant seeks extra time based on plaintiff's failure to participate in discovery.

Defendant has proffered documentation indicating diligent, good faith efforts to obtain discovery, as well as plaintiff's apparent lack of cooperation and pattern of delay. If true, the court is satisfied that this constitutes not only good cause to amend the schedule, but also grounds for possible sanctions, up to and including the dismissal of his case.

Accordingly, plaintiff may have 14 days to respond to the motion to amend the schedule. His response should also show good grounds as to why the court should not impose sanctions. Plaintiff may also wish to consider retaining counsel to represent him

in this matter going forward.<sup>1</sup>

ORDER

IT IS ORDERED that plaintiff shall (1) respond to the motion for extension of the dispositive motion deadline not later than July 30, 2014; and (2) as part of that response, plaintiff shall show cause why sanctions should not be imposed up to and including dismissal of his lawsuit.

Entered this 16th day of July, 2014.

BY THE COURT:

/s/

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William M. Conley  
District Judge

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<sup>1</sup> Plaintiff may find a specialist in employment discrimination cases through a google search or on the Wisconsin State Bar website: <http://www.wisbar.org/Pages/BasicLawyerSearch.aspx>.