

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARK ATHERLEY,

Plaintiff,

v.

Case No: 2:17-cv-332-FtM-99CM

UNITEDHEALTHCARE OF
FLORIDA, INC.,

Defendant.

ORDER

This matter comes before the Court upon review of Plaintiff's Unopposed Motion for Limited Modification of the Case Management and Scheduling Order filed on March 29, 2018. Doc. 33. On November 16, 2017, the Court entered an E.R.I.S.A. Case Management and Scheduling Order ("CMSO"), setting the discovery deadline for March 30, 2018 and the deadline for motions for judgment on the record for April 30, 2018. Doc. 22 at 2. Plaintiff seeks to extend the deadlines for conducting discovery from March 30, 2018 to June 1, 2018 and for filing motions for judgment on the record from April 30, 2018 to July 2, 2018. Doc. 33 ¶ 6. In support of his motion, Plaintiff asserts the parties have engaged in limited discovery given the potential influence of the previously pending standard of review motion on the parameters of discovery. *Id.* at ¶¶ 4-5.

Rule 16 requires a showing of good cause for modification of a court's scheduling order. Fed. R. Civ. P. 16(b)(4). Because the parties limited potentially avoidable discovery costs while awaiting the Court's standard of review

determination and both parties agree to the extensions, the Court finds good cause to grant the requested extensions. The Court will also grant a three-day extension of the mediation deadline *sua sponte* because although the deadline was set for April 6, 2018, the parties have indicated they are scheduled to mediate on April 9, 2018.¹ Given that the Court has now entered its ruling regarding the applicable standard of review, the Court will not be inclined to extend the deadlines further absent a concerted showing of good cause. *See* Doc. 35.

ACCORDINGLY, it is hereby

ORDERED:

1. The Unopposed Motion for Limited Modification of the Case Management and Scheduling Order (Doc. 33) is **GRANTED**.

2. An amended case management and scheduling order will be issued by separate order.

DONE and **ORDERED** in Fort Myers, Florida on this 3rd day of April, 2018.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record

¹ The Court reminds the parties that they must seek an extension of any Court-ordered deadline, including a mediation deadline.