

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DONIA GOINES,

Plaintiff,

v.

Case No: 2:17-cv-656-FtM-29CM

LEE MEMORIAL HEALTH
SYSTEM and JEOVANNI
HECHAVARRIA,

Defendants.

ORDER

This matter comes before the Court upon review of the Joint Motion to Extend Deadlines filed on July 2, 2018. Doc. 50.¹ The Court previously granted a joint motion to extend the deadlines for the parties to disclose expert reports, but the parties now seek to extend all the remaining deadlines in the Case Management and Scheduling Order (“CMSO”). *Id.*; *see also* Docs. 25, 38. For the reasons stated below, the Court will grant extensions, but with a slightly different trial term than requested.

District courts have broad discretion when managing their cases in order to ensure the cases move to a timely and orderly conclusion. *Chrysler Int’l Corp. v. Chemaly*, 280 F.3d 1358, 1360 (11th Cir. 2002). Rule 16 requires a showing of good cause for modification of a court’s scheduling order. Fed. R. Civ. P. 16(b)(4). “This

¹ Plaintiff filed a Joint Motion to Extend Deadline to Disclose Expert Witness Reports before filing the instant motion, but Plaintiff withdrew the prior motion because it was inadvertently filed. *See* Docs. 48, 49. Accordingly, the Joint Motion to Extend Deadline to Disclose Expert Witness Reports will be denied as moot. *See* Doc. 48.

good cause standard precludes modification unless the schedule cannot be met despite the diligence of the party seeking the extension.” *Sosa v. Airprint Sys., Inc.*, 133 F. 3d 1417, 1418 (11th Cir. 1998) (internal quotations and citations omitted).

Here, the parties request a three-week extension of all the remaining deadlines in the CMSO to allow sufficient time to complete fact discovery prior to the expert report deadlines, and to prepare dispositive briefs. Doc. 50 at 2-4. The parties assert they have been diligent in pursuing this case, and no parties will be prejudiced by the short extension. *Id.* at 4-5. Therefore, the Court finds good cause to extend the deadlines in the CMSO, but the Final Pretrial Conference and trial term dates will be set for March 18, 2019 and April 1, 2019, respectively, in accordance with Judge Steele’s trial calendar. Also, the Court *sua sponte* will extend the meeting to prepare Joint Final Pretrial Statement deadline in accordance with the other extended deadlines.

ACCORDINGLY, it is

ORDERED:

1. The Joint Motion to Extend Deadlines (Doc. 50) is **GRANTED in part**.
2. An amended case management and scheduling order will be issued by separate Order.
3. The Joint Motion to Extend Deadline to Disclose Expert Witness Reports (Doc. 48) is **DENIED as moot**.

DONE and **ORDERED** in Fort Myers, Florida on this 9th day of July, 2018.



CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record
Pro se parties