

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**JANE DOE NO. 68 and MOTHER DOE,**

**Plaintiffs,**

**v.**

**Case No: 6:17-cv-1135-Orl-41KRS**

**THE SCHOOL BOARD OF ORANGE  
COUNTY, FLORIDA,**

**Defendant.**

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**ORDER**

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: PLAINTIFFS' SECOND UNOPPOSED MOTION TO  
EXTEND DEADLINES (Doc. No. 44)**

**FILED: April 5, 2018**

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**THEREON it is ORDERED that the motion is DENIED.**

On September 25, 2017, the Court issued its Case Management and Scheduling Order ("CMSO"). It set the date for Plaintiffs to disclose their expert reports as April 2, 2018, and the date for Defendant to disclose its expert reports as May 4, 2018. The discovery deadline was June 1, 2018, dispositive motions were due on July 6, 2018, and trial was scheduled on the December 3, 2018 trial term. Doc. No. 29, at 1-2.

On March 27, 2018, Plaintiff Jane Doe filed a motion to extend the CMSO deadlines as follows: Plaintiff's expert witness reports to April 16, 2018, Defendant's expert witness reports to May 18, 2018, discovery deadline to June 15, 2018 and dispositive motions to July 20, 2018. Doc.

No. 39. The basis for this request was that the parties wished to conduct mediation on April 2, 2018 before incurring the expense of expert evaluations. Doc. No. 39. The Court granted the motion in part. The Court extended the expert witness disclosure deadlines as requested and extended discovery to June 15, 2018 but the dispositive motion deadline was not extended. Doc. No. 41.

Thereafter, the mediation was rescheduled from April 2 to April 17, 2018 at the request of counsel for Defendant. Doc. No. 43, 44. Plaintiffs now seek to further extend the expert witness disclosure deadlines to April 30, 2018 for Plaintiff and June 1, 2018 for Defendant. Doc. No. 44. The motion is procedurally deficient because it is not supported by the required memorandum of law. Local Rule 3.01(a).

Fed. R. Civ. P. 16(b)(4) states that a schedule may be modified only for good cause with the judge's consent. In this case, no good cause has been established for a further enlargement of the expert witness disclosure deadlines. There has been no showing why the mediation could not have occurred on April 2, 2018 in the exercise of due diligence or why the mediation could not have been rescheduled on a date that would permit the parties to comply with the extended deadlines set by the Court. Furthermore, counsel offer the Court no information to support the conclusion that if a second enlargement of these deadlines is granted, they have plans in place to have expert evaluations conducted, expert witness reports in the form required by Fed. R. Civ. P. 26(a)(2) prepared and disclosed by the proposed extended deadlines, and discovery of these experts completed by June 15, 2018.

**DONE and ORDERED** in Orlando, Florida on April 6, 2018.

*Karla R. Spaulding*  
KARLA R. SPAULDING  
UNITED STATES MAGISTRATE JUDGE