

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

SHEILA OCONNOR,

Plaintiff,

v.

Case No: 2:18-cv-144-FtM-29CM

NISSAN MOTOR ACCEPTANCE  
CORPORATION,

Defendant.

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**ORDER**

This matter comes before the Court upon review of the Joint Motion to Extend Mediation Deadline filed on August 24, 2018. Doc. 25. The parties seek a sixteen-day extension of the mediation deadline to accommodate the parties' and mediator's schedules. *Id.* at 2. For the reasons stated below, the motion will be granted.

Federal Rule of Civil Procedure 16 requires a showing of good cause for modification of a court's scheduling order. Fed. R. Civ. P. 16(b)(4). "The diligence of the moving party should be considered in determining whether there is good cause to extend a deadline." *Jozwiak v. Stryker Corp.*, No. 6:09-cv-1985-Orl-19GJK, 2010 WL 743834, at \*2 (M.D. Fla. Feb. 26, 2010). In other words, the moving party must demonstrate it could not meet the deadline despite its diligent efforts. *Sosa v. Airprint Sys., Inc.*, 133 F.3d 1417, 1418 (11th Cir. 1998); *Idearc Media Corp. v. Kimsey & Assocs., P.A.*, No. 807-CV-1024-T-17EAJ, 2009 WL 413531, at \*2 (M.D. Fla. Feb. 18, 2009). District courts have broad discretion when managing their cases,

including discovery and scheduling. *Johnson v. Bd. of Regents of Univ. of Ga.*, 263 F.3d 1234, 1269 (11th Cir. 2001).

Here, the parties seek to move only the mediation deadline from August 29, 2018 to September 14, 2018. Doc. 25 at 1. The parties agreed mediation would not be fruitful prior to exchange of certain discovery, but due to scheduling conflicts, the parties and mediator were not able to secure a date after such discovery and before the August 29, 2018 deadline. Doc. 25 at 2. The parties have tentatively scheduled mediation for September 14, 2018, provided the Court's approval of the requested extension. *Id.* The requested extension does not affect any other case management deadlines. For good cause shown and because the motion is jointly filed, the Court will grant the requested extension of the mediation deadline.

ACCORDINGLY, it is

**ORDERED:**

The Joint Motion to Extend Mediation Deadline (Doc. 25) is **GRANTED**. The parties shall have **up to and including September 14, 2018** to mediate.

**DONE** and **ORDERED** in Fort Myers, Florida on this 27th day of August, 2018.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record