

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

**SARASOTA COUNTY PUBLIC
HOSPITAL d/b/a SARASOTA
MEMORIAL HEALTH CARE
SYSTEM,**

Plaintiff,

v.

Case No. 8:18-cv-252-T-27AAS

MULTIPLAN, INC.,

Defendant,

_____ /

ORDER

MultiPlan moves to extend the discovery deadline so it may depose Sarasota Memorial's expert. (Doc. 55). Sarasota Memorial consents to MultiPlan's requested discovery-deadline extension. (*Id.* at 2).

The court may modify a case management and scheduling order for good cause. Fed. R. Civ. P. 16(b)(4). Good cause means the moving party cannot meet deadlines despite due diligence. *Sosa v. Airprint Sys., Inc.*, 133 F.3d 1417, 1418 (11th Cir. 1998).

The current discovery deadline is March 6, 2019. (Doc. 49). Sarasota Memorial's expert is unavailable before March 6th for MultiPlan to depose her. (Doc. 55). So, MultiPlan establishes good cause to extend the discovery deadline again so MultiPlan may depose Sarasota Memorial's expert.

The parties, however, should not plan that the court will grant future

extensions. A party fails to exercise due diligence when it moves to amend the scheduling order based on information it had before the relevant deadline passed. *S. Grouts & Mortars, Inc. v. 3M Co.*, 575 F.3d 1235, 1241 n.3 (11th Cir. 2009). The court may grant extensions here only if the parties establish good cause and due diligence.

* * *

MultiPlan established good cause to extend the discovery deadline once more. Its motion to extend the discovery deadline so MultiPlan may depose Sarasota Memorial's expert (Doc. 55) is **GRANTED**. The deadline to depose Sarasota Memorial's expert is **March 20, 2019**.

ENTERED in Tampa, Florida, on March 6, 2019.



AMANDA ARNOLD SANSONE
United States Magistrate Judge