

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Nozot v. Wal-Mart Associates, Inc.

Nozot · No. 24cv1171-DMS(LR) · Decided March 17, 2025

OPINION

Nozot v. Wal-Mart Associates, Inc.

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 DAVID NOZOT, Case No.: 24cv1171-DMS(LR) 12 Plaintiff,

ORDER GRANTING JOINT

13 v. MOTION TO CONTINUE

[ECF NO. 26]

14 WAL-MART ASSOCIATES, INC., et al., 15 Defendants. 16 17 18 On March 14, 2025, the parties filed a “Joint Moton to Continue the Dates Set in 19 the Court’s Scheduling Order.” (ECF No. 26.) They describe their discovery efforts to 20 date, and ask the Court to continue the deadline for requesting an informal Discovery 21 Conference (“IDC”) relating to discovery of electronically stored information (“ESI”) 22 until April 21, 2025. (ECF No. 26-1 at 2–3.) In support, the parties state that they were 23 unable to complete document productions by March 14, 2025, the current deadline for 24 requesting and IDC. (Id. at 2.) The parties further allege that they have agreed to extend 25 the deadline to request an IDC “to allow Defendant sufficient time to complete its 26 collection of documents and subsequently produce said documents by April 21, 2025, 27 absent any privilege protection as to those documents.” (Id. at 3.) 28 1 A scheduling order “may be modified only for good cause and with the judge’s 2 ||consent.” Fed. R. Civ. P. 16(b)(4). This good cause standard “primarily considers the 3 || diligence of the party seeking the amendment. The district court may modify the pretrial 4 || schedule if it cannot reasonably be met despite the diligence of the party seeking the 5 ||extension.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992) 6 || (internal quotation marks and citation omitted). “If that party was not diligent, the 7 inquiry should end.” Id. 8 Having considered the parties’ joint motion and supporting declaration, the Court 9 || finds good cause, GRANTS the motion, and approves the parties’ stipulation. 10 || Accordingly, Plaintiff's deadline to request an IDC relating to ESI discovery is 11 || CONTINUED from March 14, 2025, until April 21,2025. All other deadlines and 12 ||requirements from the Scheduling Order Regulating Discovery and Other Pretrial 13 || Procedures remain unchanged. (See ECF No. 12.) 14 IT IS SO ORDERED. 15 ||Dated: March 17,

2025 16 LY 17 Honorable Lupe Rodriguez, Jr. 13 United States Magistrate Judge 19 20 21 22 23
24 25 26 27 28

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