

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Haggerty v. Lynch

Haggerty · No. 2:21-cv-01248-DJC-AC · Decided April 1, 2025

OPINION

(PC) Haggerty v. Lynch

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 LEE E. HAGGERTY, No. 2:21-cv-01248-DJC-AC

12 Plaintiff, 13 v. ORDER 14 JEFF LYNCH, et al., 15 Defendants. 16 17 18 Pending before the
Court is Defendants' request for an extension to file their 19 pretrial statement until fourteen days
after Plaintiff submits his pretrial statement. 20 (ECF No. 59). Pursuant to the Scheduling Order
issued on October 3, 2024, Plaintiff 21 was ordered to file and serve a pretrial statement on or
before March 20, 2025, and 22 Defendants were ordered to file their pretrial statement on or
before April 3, 2025. 23 (ECF No. 54.) However, as of the date of this Order, Plaintiff has not
filed his pretrial 24 statement. 25 The district court has broad discretion in supervising the pretrial
phase of 26 litigation. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607 (9th Cir. 1992)
27 (citation omitted). Under Rule 16(b), "[a] schedule may be modified only for good 28 cause
and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "The schedule may be 1 | modified if it
cannot be reasonably met despite the diligence of the party seeking the 2 | extension." *Zivkovic v.*
Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 3 | 2002) (citation and quotation
marks omitted). 4 The Court finds good cause exists here as Plaintiff has yet to file his pretrial 5 |
statement. Thus, the Court GRANTS Defendants' request for an extension to file the 6 | pretrial
statement on or by April 7, 2025. The Court will address the Plaintiff's failure 7 | to file a pretrial
statement at the final pretrial conference. Defendants are further 8 | GRANTED leave to amend
their statement following Plaintiff's submission to review 9 | and, if necessary, address matters
raised in Plaintiff's pretrial statement. 10 Accordingly, IT IS HEREBY ORDERED that
Defendants' request for an extension 11 | is GRANTED to file the pretrial statement on or before
April 7, 2025, with leave to 12 | amend. 13 14 IT IS SO ORDERED. 15 | Dated: _April 1, 2025
"Daniel CoD tto— Hon. Daniel □□|. Cod

16 UNITED STATES DISTRICT JUDGE

17 18 19 20 21 22 | DJC6- HAGGERTY21cv01248.extension 23 24 25 26 27 28

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