

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Stevens v. Martinez

Stevens v. Martinez · No. 1:21-cv-01144-JLT-SKO (PC) · Decided April 2, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Defendants’ motion to vacate the deadline for filing merits-based dispositive motions. The court found good cause under Federal Rule of Civil Procedure 16(b)(4), based on Plaintiff’s alleged failure to comply with a discovery order and Defendants’ pending motion for terminating sanctions. The May 22, 2025 dispositive-motion deadline was vacated and may be reset after resolution of the sanctions motion.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 2, 2025
DOCKET	1:21-cv-01144-JLT-SKO (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to vacate the remaining deadline for filing merits-based dispositive motions pending resolution of their motion for terminating sanctions. The court granted the motion without requiring a response from Plaintiff.
STANDARD OF REVIEW	A scheduling order may be modified only for good cause and with the judge's consent; the good-cause inquiry primarily considers the diligence of the party seeking modification.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- sanctions
- discovery dispute
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- discovery
- sanctions

QUESTIONS PRESENTED

1. Whether Defendants demonstrated good cause under Federal Rule of Civil Procedure 16(b)(4) to vacate the deadline for filing merits-based dispositive motions pending resolution of their motion for terminating sanctions.

HOLDINGS

1. Defendants demonstrated good cause under Federal Rule of Civil Procedure 16(b)(4) to modify the scheduling order and vacate the remaining deadline for filing merits-based dispositive motions pending resolution of the motion for terminating sanctions.

KEY QUOTATIONS

“Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a scheduling order “may be modified only for good cause and with the judge's consent.”” (at 2)

“The Court finds Defendants have demonstrated good cause for a modification of the scheduling order.” (at 2)

FACTUAL BACKGROUND

The court had ordered Plaintiff to respond to Defendant Peterson's request for production concerning a Gender Identity Questionnaire after granting a motion to compel. Defendants asserted that Plaintiff had not provided the required response and that they could not adequately prepare a merits-based dispositive motion without the requested information. Defendants also had a pending motion for terminating sanctions that could potentially dispose of the action.

PROCEDURAL HISTORY

The court issued a discovery and scheduling order on April 1, 2024, and later granted Defendant Peterson's motion to compel, ordering Plaintiff to respond to a request for production. Defendants subsequently filed a motion for terminating sanctions based on Plaintiff's alleged failure to comply with the discovery order, followed by this motion to vacate the May 22, 2025 dispositive-motion deadline. The court granted the motion and vacated the deadline pending resolution of the sanctions motion.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992)

OPINION

(PC) Stevens v. Martinez

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 LYRALISA LAVENA STEVENS, Case No. 1:21-cv-01144-JLT-SKO (PC) 12 Plaintiff,
ORDER GRANTING DEFENDANTS'

MOTION TO VACATE THE DEADLINE

13 v. FOR FILING DISPOSITIVE MOTIONS

PENDING RESOLUTION OF MOTION

14 C. MARTINEZ, FOR TERMINATING SANCTIONS

15 Defendant. (Doc. 49) 16 17 Plaintiff Lyralisa Lavena Stevens is proceeding pro se in this civil
rights action pursuant 18 to 42 U.S.C. § 1983. This action proceeds against Defendants Martinez
and Peterson for 19 violations of Plaintiff's constitutional rights.

20 I. BACKGROUND

21 The Court issued its Discovery and Scheduling Order on April 1, 2024. (Doc. 37.) On
22 December 17, 2024, the Court issued its Order Granting Defendant Peterson's Motion
23 to Compel. (Doc. 45.) Plaintiff was ordered to "respond to Peterson's Request for Production
No. 24 4, no later than 21 days from the date of service of this order, by providing responsive
documents, 25 or a written response indicating she is not in possession of any documents
responsive to request 26 number 4" (Id. at 5.) 27 On February 25, 2025, the Court granted
Defendants' second motion to modify the 1 On March 28, 2025, Defendants filed a Motion for
Terminating Sanctions. (Doc. 48.) 2 Plaintiff's opposition or statement of non-opposition to this
motion is due by April 18, 2025, plus 3 time for mailing. 4 On April 1, 2025, Defendants filed a
Motion to Vacate Deadlines Pending Decision on 5 Motion for Terminating Sanctions.¹ (Doc. 49.)
The Court finds a response by Plaintiff to be 6 unnecessary and will consider the instant motion.

7 II. DISCUSSION

8 Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a scheduling order "may 9 be
modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). This 10 good
cause standard "primarily considers the diligence of the party seeking the amendment." 11
Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). The court may modify
12 the scheduling order "if it cannot reasonably be met despite the diligence of the party seeking
the 13 extension." Id. If the party was not diligent, the inquiry should end. Id. 14 Defendants assert
Plaintiff's failure to participate in discovery proceedings and to comply 15 with the Court's Order
granting Defendant Peterson's motion to compel warrants granting the 16 motion to vacate the
remaining deadline for the filing of dispositive motions. (Doc. 49 at 3.) They 17 contend they
cannot adequately prepare a merits-based dispositive motion without reviewing the 18 Gender
Identity Questionnaire that was the subject of their motion to compel. (Id.) Defense 19 counsel
states that following the Court's December 17, 2024, order granting Defendant Peterson's 20
motion to compel, Plaintiff failed to submit the required response, and as of the date of this 21

motion, Defendants still have not received the information from Plaintiff. (Doc. 49-1 at 2, ¶ 10.)
22 Counsel contends the motion for terminating sanctions may dispose of this action, and
therefore, 23 vacating the May 22, 2025, dispositive motion filing deadline is in the best interest of
judicial 24 efficiency and economy. (Id., ¶ 11.) 25 The Court finds Defendants have demonstrated
good cause for a modification of the 26 scheduling order. The Court will vacate the remaining
deadline for filing merits-based dispositive 27 1 The only deadline remaining pertains to the filing
of merits-based dispositive motions. All other discovery 1 motions until the motion for terminating
sanctions is resolved. The Court will then reset the 2 deadline, if needed.

3 III. CONCLUSION AND ORDER

4 For the foregoing reasons, the Court HEREBY ORDERS: 5 1. Defendants' motion to vacate the
dispositive motion deadline (Doc. 49) is 6 GRANTED; and 7 2. The May 22, 2025, deadline for
filing dispositive motions is VACATED. The 8 deadline will be reset, if needed, following
resolution of Defendants' pending motion 9 for terminating sanctions. 10 IT IS SO ORDERED. 11
12 Dated: April 2, 2025 /s/ Sheila K. Oberto .

UNITED STATES MAGISTRATE JUDGE

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