

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

John McClintock v. G. Valencia, et al.

McClintock v. Valencia · No. 2:22-cv-01884-KJM-CSK · Decided April 21, 2025

SUMMARY

This document is a proposed order and revised scheduling order in a federal civil rights action brought by a state prisoner. The court grants defendants’ motion to modify the discovery and scheduling order, extends the deadlines for discovery motions and plaintiff’s deposition to July 1, 2025, and extends the dispositive-motion deadline to August 29, 2025. All other provisions of the existing scheduling order remain in effect.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 21, 2025
DOCKET	2:22-cv-01884-KJM-CSK
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to modify the discovery and scheduling order under Federal Rule of Civil Procedure 16(b)(4). The court granted the motion and entered a revised scheduling order.
STANDARD OF REVIEW	The district court has broad discretion in supervising the pretrial phase of litigation. A scheduling order may be modified only for good cause and with the judge's consent; good cause exists when the schedule cannot reasonably be met despite the diligence of the party seeking the extension.
PRECEDENTIAL VALUE	Nonprecedential district-court scheduling order

TOPICS

- discovery dispute
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether defendants demonstrated good cause and diligence sufficient to modify the discovery and scheduling order under Federal Rule of Civil Procedure 16(b)(4).
2. What discovery and dispositive-motion deadlines should be established in the revised scheduling order.

HOLDINGS

1. Defendants demonstrated diligence and good cause under Federal Rule of Civil Procedure 16(b)(4) to modify the scheduling order for the pending discovery disputes.
2. The deadlines to file a motion to compel and to depose plaintiff were extended to July 1, 2025, and the deadline to file dispositive motions was extended to August 29, 2025; all other discovery remained closed.

KEY QUOTATIONS

“The district court is given broad discretion in supervising the pretrial phase of litigation.” (at 1)

“A schedule may be modified only for good cause and with the judge’s consent.” (at 1)

“The schedule may be modified if it cannot reasonably be met despite the diligence of the party seeking the extension.” (at 1)

FACTUAL BACKGROUND

The parties had met and conferred regarding plaintiff's responses to defendants' interrogatories and requests for production. Defendants anticipated filing a motion to compel, and plaintiff's motion to compel was already pending. Although the written-discovery deadline had expired on March 3, 2025, defendants sought additional discovery limited to those disputes before deposing plaintiff.

PROCEDURAL HISTORY

Plaintiff, a state prisoner proceeding pro se, brought a civil-rights action against state defendants. After the written-discovery deadline expired, defendants moved to modify the scheduling order to permit additional discovery concerning pending discovery disputes before plaintiff's deposition. The court found diligence and good cause, granted the motion, and extended specified deadlines while leaving the remainder of the scheduling order in effect.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992)

- Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002)

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