

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Stephanie Spears v. Thermo Fisher Scientific

Spears · No. 22-2454-DDC · Decided May 14, 2026

SUMMARY

The United States District Court for the District of Kansas grants Thermo Fisher Scientific’s motion to continue the trial because defense counsel’s scheduling conflicts, an additional damages issue, and a discovery dispute support a continuance under the applicable factors. The court resets the trial for October 6, 2026, and grants plaintiff’s motion to file a response out of time while warning plaintiff about future filing deadlines.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Daniel D. Crabtree
JURISDICTION	United States District Court for the District of Kansas
DECIDED	May 14, 2026
DOCKET	22-2454-DDC
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to continue the scheduled trial, and plaintiff moved for leave to file an opposition response out of time.
STANDARD OF REVIEW	A decision whether to continue a trial is reviewed under an abuse-of-discretion standard.
PRECEDENTIAL VALUE	Unknown
PARTIES	Stephanie Spears v. Thermo Fisher Scientific

TOPICS

- civil procedure
- discovery dispute
- commercial litigation

PRACTICE AREAS

- civil procedure
- employment litigation

QUESTIONS PRESENTED

1. Whether good cause existed to continue the July 7, 2026 trial under the four-factor test governing trial continuances.
2. Whether plaintiff should be permitted to file her response out of time.

HOLDINGS

1. The court granted the motion to continue the trial because the applicable factors, considered collectively, favored a continuance to address defense counsel's scheduling conflicts, the late-breaking damages issue, and the related discovery dispute.
2. The court granted plaintiff's motion for leave to file her response out of time because defendant did not oppose it.

KEY QUOTATIONS

“Whether to continue a trial is a decision committed to the district court’s discretion.”

“No one of these West factors is determinative.”

FACTUAL BACKGROUND

The case had been pending for approximately three and a half years, with trial set for July 7, 2026. Defense counsel had an arbitration scheduled the week before trial and another trial two weeks before trial, while plaintiff had recently indicated that she might seek additional damages, prompting additional discovery. The parties also informed the court of a discovery dispute that would require time to resolve. Plaintiff opposed a continuance based on her counsel's cleared schedule, increased litigation costs, travel from Maryland to Kansas, and possible degradation of witness memory.

PROCEDURAL HISTORY

The civil action was pending in the United States District Court for the District of Kansas with trial set for July 7, 2026. Thermo Fisher Scientific moved to continue the trial because of lead counsel's scheduling conflicts, the proximity of the Fourth of July holiday, and additional discovery concerning potentially increased damages. The court granted the continuance, reset trial for October 6, 2026, and also granted plaintiff leave to file her response out of time.

DISPOSITION

other

CASES CITED

- Rogers v. Andrus Transp. Servs., 502 F.3d 1147, 1151 (10th Cir. 2007)
- United States v. West, 828 F.2d 1468, 1470 (10th Cir. 1987)