

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

I.L. v. Six Flags Entertainment Corp.

I.L. · No. 1:23-cv-01769-KES-CDB · Decided July 15, 2025

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice the parties’ stipulated request to extend case management dates, including the deadline for completing nonexpert discovery. The court found that the request was filed on the deadline, lacked the affidavits or declarations required by the scheduling order, and did not establish good cause or diligence under Federal Rule of Civil Procedure 16(b).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 15, 2025
DOCKET	1:23-cv-01769-KES-CDB
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to extend case-management dates, including the deadline for completing nonexpert discovery, in anticipation of briefing on plaintiffs' motion for class certification. The district court denied the request without prejudice.
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PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- civil procedure
- class actions

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether the parties demonstrated good cause under Federal Rule of Civil Procedure 16(b)(4) to modify the scheduling order and extend the discovery deadline.
2. Whether the stipulated request complied with the court's scheduling order and Eastern District of California Local Rule 144(d).

HOLDINGS

1. The parties failed to establish good cause for modifying the scheduling order because their submission did not demonstrate sufficient diligence or provide adequate details concerning their discovery efforts.
2. The request did not comply with the operative scheduling order or Local Rule 144(d) because it lacked the required affidavit or declaration and was filed on the deadline, making the requested extension *nunc pro tunc*.

KEY QUOTATIONS

“A scheduling order is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded by counsel without peril.” (at 2)

*“The Court disfavors granting relief *nunc pro tunc* and admonishes the parties to exercise better care and to adhere to this Court’s Local Rules in all future filings.”* (at 3)

FACTUAL BACKGROUND

The parties had exchanged written discovery requests and engaged in meet-and-confer efforts concerning discovery disputes, depositions, the scope of a Federal Rule of Civil Procedure 30(b)(6) deposition, and a subpoena to nonparty IBCCES. They requested an extension on the first day of the nonexpert-discovery deadline, without submitting the affidavit or declaration required by the operative scheduling order and without providing enough detail to demonstrate diligence.

PROCEDURAL HISTORY

The parties filed a stipulated request on the deadline they sought to extend. They described ongoing discovery disputes and meet-and-confer efforts but did not provide the attorney affidavit or declaration required by the operative scheduling order, and their submission did not establish good cause or sufficient diligence.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609-610 (9th Cir. 1992)
- Wong v. Regents of the University of California, 410 F.3d 1052, 1060 (9th Cir. 2005)
- Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002)

