

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Deveroux v. County of Kern

Deveroux · No. 1:23-cv-00239-CDB · Decided February 24, 2025

SUMMARY

The United States District Court for the Eastern District of California grants the parties’ stipulated request to amend the scheduling order based on good cause. The order extends discovery and expert-disclosure deadlines, advances the pretrial conference, and continues the trial date from September 9, 2025, to September 16, 2025.

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	February 24, 2025
DOCKET	1:23-cv-00239-CDB
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to amend the scheduling order and modify several discovery and pretrial deadlines. The court granted the request for good cause and continued the trial date.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 16(b)(4), a scheduling order may be modified only for good cause and with the judge's consent; good cause primarily considers the diligence of the party seeking modification.
PRECEDENTIAL VALUE	unknown

TOPICS

- discovery dispute
- motion to amend
- civil procedure

PRACTICE AREAS

- civil procedure
- discovery
- case management

QUESTIONS PRESENTED

1. Whether the parties had shown good cause to modify the scheduling order under Federal Rule of Civil Procedure 16(b)(4).
2. Whether the court should adjust the pretrial conference and trial dates to accommodate scheduling needs.

HOLDINGS

1. The scheduling order may be modified because the parties demonstrated good cause, and the requested extensions and date changes were granted.
2. The pretrial conference was advanced from July 14, 2025, to July 7, 2025, and the trial was continued from September 9, 2025, to September 16, 2025.

KEY QUOTATIONS

“A scheduling order is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded by counsel without peril.” (Discussion at 1)

FACTUAL BACKGROUND

The parties filed their fifth joint stipulated request to amend the scheduling order. They represented that additional time was needed because new defendants had been added to the second amended complaint. The parties also identified a scheduling conflict involving plaintiffs' counsel and requested that the pretrial conference be advanced.

PROCEDURAL HISTORY

The action was pending in the Eastern District of California under a scheduling order previously amended through several docket orders. After new defendants were added in a second amended complaint filed November 26, 2024, the parties sought additional time for discovery and expert disclosures. They also requested that the pretrial conference be advanced because of a scheduling conflict involving plaintiffs' counsel.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609-10 (9th Cir. 1992)
- Wong v. Regents of Univ. of Cal., 410 F.3d 1052, 1060 (9th Cir. 2005)
- Zivkovic v. So. Cal. Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002)

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