

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Road Safety Services, Inc. v. Sun Valley Markings, LLC, Joshua A. Verdoni, Chris Brandt, Blair Jones, and XYZ Corporation, Inc.

Road Safety Services · No. 8:25CV229 · Decided February 17, 2026

SUMMARY

The United States District Court for the District of Nebraska grants in part and denies in part Plaintiff’s motion to extend the written discovery deadline. The Court leaves the February 5, 2026 written discovery deadline unchanged but extends the deadline for motions to compel written discovery to March 23, 2026, while leaving all other progression-order deadlines unchanged.

CASE DETAILS

COURT	United States District Court for the District of Nebraska
WRITING FOR THE COURT	Jacqueline M. DeLuca
JURISDICTION	United States District Court for the District of Nebraska
DECIDED	February 17, 2026
DOCKET	8:25CV229
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to extend the written discovery deadline in the court’s Rule 16 scheduling order. The court granted the motion in part and denied it in part, extending the deadline for motions to compel rather than extending the written discovery completion deadline.
STANDARD OF REVIEW	A Rule 16 scheduling order may be modified only for good cause. The court considers the movant’s diligence in attempting to meet the scheduling order’s requirements and may also consider the existence or degree of prejudice to the opposing party.
PRECEDENTIAL VALUE	unpublished

TOPICS

discovery dispute civil procedure motion to amend

PRACTICE AREAS

civil procedure commercial litigation discovery

QUESTIONS PRESENTED

1. Whether good cause existed under Federal Rule of Civil Procedure 16(b)(4) to modify the scheduling order.
2. Whether the circumstances warranted extending the deadline for completing written discovery or instead warranted extending the deadline for filing motions to compel.

HOLDINGS

1. Good cause existed to modify the scheduling order by extending the deadline for filing motions to compel written discovery by thirty days.
2. The request to extend the written discovery completion deadline was denied because Plaintiff's stated need concerned resolving existing discovery disputes, and the proposed extension based on a pending motion to amend or hypothetical future discovery was premature.

KEY QUOTATIONS

“The Court agrees an extension is appropriate to allow Plaintiff time to meet and confer with Defendants regarding Defendants’ discovery responses prior to seeking a discovery dispute conference and, if appropriate, filing a motion to compel. This warrants an extension of the motion to compel deadline, not the written discovery deadline.”

“The Court may only modify a Rule 16 scheduling order “for good cause.””

FACTUAL BACKGROUND

The court's Final Progression Order required the parties to complete written discovery by February 5, 2026. Plaintiff had served written discovery and sought additional time to meet and confer with Defendants about disputes arising from Defendants' responses before requesting a discovery-dispute conference or filing a motion to compel. Plaintiff also cited a pending motion to amend the complaint and the possibility of serving additional discovery, but the court found those grounds premature.

PROCEDURAL HISTORY

The court had previously entered a Final Progression Order setting February 5, 2026, as the deadline for completing written discovery. Plaintiff timely moved for a sixty-day extension of that deadline, citing the need to meet and confer concerning Defendants' discovery responses, possible discovery disputes, and a pending motion to amend the complaint. Defendants opposed the requested extension but indicated that they did not oppose an extension of the motion-to-compel deadline. The court amended the scheduling order to extend the motion-to-compel deadline by thirty days while leaving the written discovery completion deadline unchanged.

DISPOSITION

other

CASES CITED

- Yang v. Robert Half Int'l, Inc., 79 F.4th 949, 960 (8th Cir. 2023)
- Hartis v. Chi. Title Ins. Co., 694 F.3d 935, 948 (8th Cir. 2012)
- Marmo v. Tyson Fresh Meats, Inc., 457 F.3d 748, 759 (8th Cir. 2006)

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