

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

**Kenai Mid-Continent, Inc. v. Great Basin Operating, LLC**

Kenai Mid-Continent · No. 1:24-cv-00434-KES-CDB · Decided March 18, 2025

SUMMARY

The United States District Court for the Eastern District of California denied the parties’ stipulated request to extend discovery and other case management deadlines by 60 days. The court held that the parties had not shown the diligence required to establish good cause under Federal Rule of Civil Procedure 16(b)(4), noting the delayed service of initial discovery requests.

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            | March 18, 2025                                                                                                                                                                                                              |
| DOCKET             | 1:24-cv-00434-KES-CDB                                                                                                                                                                                                       |
| DISPOSITION        | other                                                                                                                                                                                                                       |
| PROCEDURAL POSTURE | The parties jointly stipulated to a request to extend discovery and all other unexpired case-management deadlines by 60 days under Federal Rule of Civil Procedure 16(b)(4).                                                |
| STANDARD OF REVIEW | Under Federal Rule of Civil Procedure 16(b)(4), modification of a scheduling order requires good cause and the judge’s consent; the good-cause inquiry primarily considers the diligence of the party seeking modification. |
| PRECEDENTIAL VALUE | Unknown; federal district court order with no reporter citation                                                                                                                                                             |

TOPICS

- discovery dispute
- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation
- discovery

QUESTIONS PRESENTED

1. Whether the parties established good cause under Federal Rule of Civil Procedure 16(b)(4) to modify the scheduling order and extend discovery and other case-management deadlines by 60 days.

## HOLDINGS

1. The parties failed to establish good cause because they did not demonstrate that they acted diligently to meet the discovery deadlines; therefore, the stipulated request to extend discovery and all other case-management dates was denied.

## KEY QUOTATIONS

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

*“Because the parties have failed to establish they acted diligently to meet discovery deadlines as set forth in the scheduling order, the parties’ request to extend case management dates will be denied.”* (Discussion)

## FACTUAL BACKGROUND

The court's scheduling order required nonexpert discovery to close on April 30, 2025, and warned that the deadlines were firm absent good cause. Defendant's lead counsel changed firms in August 2024, but Defendant did not serve its initial discovery requests until January 31, 2025, and Plaintiff did not serve its initial discovery requests until February 13, 2025. The parties cited document-intensive and factually complex discovery, anticipated third-party discovery, and the need to locate and depose witnesses as grounds for a 60-day extension.

## PROCEDURAL HISTORY

The court entered a scheduling order on July 10, 2024, setting firm case-management deadlines, including an April 30, 2025 nonexpert-discovery deadline. After the parties reported delays and requested a modest extension, the court vacated the mid-discovery status conference and directed them to complete discovery diligently. The parties then filed a stipulated request on March 17, 2025, which the court denied because they failed to establish diligence in meeting the scheduling-order deadlines.

## DISPOSITION

other

## CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609-10 (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)

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