

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

LeTip World Franchise LLC v. Long Island Social Media Group LLC, et al.

LeTip World Franchise · No. CV-24-00165-PHX-KML · Decided December 31, 2025

SUMMARY

The United States District Court for the District of Arizona partially grants the parties’ stipulation seeking extensions of case management deadlines. The court sets deadlines for discovery, expert disclosures and depositions, dispositive motions, settlement discussions, and notice of trial readiness, and warns that further extensions will not be granted absent extraordinary circumstances.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Krissa M. Lanham
JURISDICTION	United States District Court for the District of Arizona
DECIDED	December 31, 2025
DOCKET	CV-24-00165-PHX-KML
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly sought substantial extensions of case-management deadlines, including discovery, expert-disclosure, dispositive-motion, settlement, and trial-readiness deadlines.
STANDARD OF REVIEW	A request to modify a scheduling order requires diligence; if the requesting party was not diligent, the inquiry ends. The court also evaluated whether extraordinary circumstances justified any further extension.
PRECEDENTIAL VALUE	Unknown

TOPICS

- discovery dispute
- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether the parties demonstrated sufficient diligence to justify modification of the case-management schedule.
2. Whether the court should grant extensions of the discovery, expert-disclosure, dispositive-motion, settlement, and trial-readiness deadlines.

HOLDINGS

1. The parties did not demonstrate diligence because they knew extensions were needed but waited until all deadlines had expired before seeking relief.
2. The stipulation was granted in part, with limited extensions for fact discovery, expert disclosures and depositions, dispositive motions, settlement discussions, and trial-readiness notice; no further extensions would be granted absent extraordinary circumstances.

KEY QUOTATIONS

“If [party seeking modification of scheduling order] was not diligent, the inquiry should end.” (at 2)

“These deadlines will not be extended again absent extraordinary circumstances.” (at 2)

FACTUAL BACKGROUND

The parties completed only some discovery before the court's September 12, 2025 ruling on a second motion to dismiss because they believed discovery on the counterclaims would have been premature and inefficient. They acknowledged that they knew extensions would be needed as of that date but waited until all deadlines had expired and the court ordered them to act. The court concluded that the claims were straightforward, discovery on the main claims should have been completed earlier, and the remaining counterclaim would not require extensive discovery.

PROCEDURAL HISTORY

The case was filed on January 23, 2024. After the court ruled on a second motion to dismiss on September 12, 2025, the parties sought extensions after existing deadlines had expired, explaining that they had deferred discovery on the counterclaims. The court found that the parties had not acted diligently, but granted the stipulation in part to allow limited additional discovery and set new deadlines.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992)

OPINION

1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF
ARIZONA 8 9 LeTip World Franchise LLC, No. CV-24-00165-PHX-KML 10 Plaintiff, ORDER
11 v. 12 Long Island Social Media Group LLC, et al., 13 Defendants. 14 The parties seek
significant extensions to certain case management deadlines. (Doc. 15 140.)

The parties explain they chose to complete only “some discovery prior to the 16 September 12
ruling on the Second Motion to Dismiss” because they concluded “[i]t would 17 have been
premature, and inefficient, to engage in discovery on the counterclaims” before 18 the court
resolved the motion to dismiss. (Doc. 140 at 3-4.)

The parties claim they were 19 planning to seek the extensions earlier, but they were busy or
distracted. The parties 20 effectively admit they knew as of September 12, 2025, that extensions of
deadlines would 21 be needed but chose to wait until all deadlines had expired and the court
issued an order 22 requiring the parties act. Such behavior does not show diligence.

See Johnson v. Mammoth 23 Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992) (“If [party
seeking modification of 24 scheduling order] was not diligent, the inquiry should end.”). 25 The
court’s general practice is to require the filing of dispositive motions no later 26 than two years
after a case was filed. This case was filed on January 23, 2024, and the 27 claims are
straightforward.

(Doc. 1.) All discovery on the main claims should have been 28 completed months ago and the
remaining counterclaim—which the court permitted to 1 proceed in September—will not require
extensive discovery. Therefore, requiring 2 dispositive motions as close as possible to the two-year
mark is appropriate. But the court 3 allows for a slight extension in this case so the parties can
complete discovery they believe 4 is crucial.

These deadlines will not be extended again absent extraordinary circumstances. 5 None of the
circumstances counsel list in their current stipulation would qualify as 6 extraordinary, and nor
will settlement discussions. 7 IT IS ORDERED the Stipulation (Doc. 140 is GRANTED IN PART.

The 8 following deadlines apply: 9 • Fact discovery shall be completed no later than February 6,
2026. 10 • The party with the burden of proof on an issue shall provide full and complete expert 11
disclosures, as required by Rule 26(a)(2)(A)-(C) of the Federal Rules of Civil 12 Procedure, no
later than January 12, 2026. 13 • The responding party (not having the burden of proof on the
issue) shall provide full 14 and complete expert disclosures, as required by Rule 26(a)(2)(A)-(C)
of the Federal 15 Rules of Civil Procedure, no later than January 23, 2026.

16 • The party with the burden of proof on the issue shall make its rebuttal expert 17 disclosures, if
any, no later than January 30, 2026. Rebuttal experts shall be limited 18 to responding to opinions
stated by the opposing party’s experts. 19 • Expert depositions shall be completed no later than

February 6, 2026. All expert 20 depositions shall be scheduled to commence at least five working days before this 21 deadline.

22 • Dispositive motions shall be filed no later than February 18, 2026. 23 • All parties and their counsel shall meet in person and engage in good faith settlement 24 talks no later than February 9, 2026. 25 / 26 / 27 / 28 / 1 e Plaintiff shall file notice of trial readiness no later than February 25, 2026, if no 2 dispositive motions are pending on that date.

If dispositive motions are pending, 3 plaintiff shall file and serve such notice within seven days after the resolution of the 4 dispositive motions. 5 Dated this 31st day of December, 2025. 6 Honorable Krissa M. Lanham 9 United States District Judge 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 -3-