

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Autumn White v. Costco Wholesale Corporation

White · No. 2:25-cv-01967-ART-NJK · Decided January 6, 2026

SUMMARY

The United States District Court for the District of Nevada considered the parties’ stipulation to extend case management deadlines by 90 days. The court found that the parties had not shown good cause or sufficient diligence to justify the requested extension, particularly because little discovery had occurred. As a one-time courtesy, the court granted a 30-day extension and reset the case management deadlines.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Nancy J. Koppe
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 6, 2026
DOCKET	2:25-cv-01967-ART-NJK
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to a 90-day extension of case management deadlines under the scheduling order.
STANDARD OF REVIEW	A request to modify scheduling-order deadlines is evaluated under the good-cause standard of Federal Rule of Civil Procedure 16(b)(4), focusing on whether the deadlines could not reasonably be met despite the exercise of diligence.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Autumn White v. Costco Wholesale Corporation

TOPICS

- civil procedure
- discovery dispute

PRACTICE AREAS

- civil procedure
- discovery

QUESTIONS PRESENTED

1. Whether the parties established good cause under Federal Rule of Civil Procedure 16(b)(4) and Local Rule 26-3 to extend the case management deadlines by 90 days.
2. Whether the court should grant a lesser extension despite the parties' failure to demonstrate adequate discovery diligence.

HOLDINGS

1. The parties did not establish good cause for the requested 90-day extension because they failed to show that the deadlines could not reasonably be met despite diligent efforts.
2. The court granted a 30-day extension of the case management deadlines as a one-time courtesy, while denying the requested extension to the extent it sought 90 days.

KEY QUOTATIONS

“The diligence obligation is ongoing.” (at 1)

“When diligence has not been shown in support of an extension request, “the inquiry should end.”” (at 1)

“The stipulation fails to establish good cause for any extension, let alone for an extraordinary extension of 90 days.” (at 2)

“What is absent is any meaningful discussion as to why none of that discovery has taken place in the preceding months.” (at 2)

“Notwithstanding the above, as a one-time courtesy to the parties, the Court will allow a 30-day extension of the case management deadlines.” (at 2)

FACTUAL BACKGROUND

The parties conducted their Rule 26(f) conference months before seeking relief and had a scheduling order in place since October 27, 2025. They had exchanged mandatory initial disclosures but had completed no written discovery or depositions; written discovery served more than two months earlier remained unanswered. The parties attributed the delay generally to holidays, counsel and witness schedules, and discussions of possible early settlement, without explaining why discovery had not proceeded.

PROCEDURAL HISTORY

The parties held their Rule 26(f) conference on September 23, 2025, filed a discovery plan on October 24, 2025, and proceeded under a scheduling order entered October 27, 2025. After little or no affirmative discovery was completed, they sought a 90-day extension of the case management deadlines. The court found that the stipulation did not establish good cause for the requested extension but granted a 30-day extension as a one-time courtesy and denied the request to the extent it sought an additional 60 days.

DISPOSITION

CASES CITED

- Desio v. State Farm Mut. Auto. Ins. Co., 339 F.R.D. 632, 641 (D. Nev. 2021)
- Janicki Logging Co. v. Mateer, 42 F.3d 561, 566 (9th Cir. 1994)
- Cornwell v. Electra Cent. Credit Union, 439 F.3d 1018, 1027 (9th Cir. 2006)
- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992)
- Morgal v. Maricopa Cnty. Bd. of Supervisors, 284 F.R.D. 452, 460 (D. Ariz. 2012)
- Williams v. James River Grp. Inc., 627 F. Supp. 3d 1172, 1177-78, 1181 (D. Nev. 2022)
- Jackson v. Laureate, Inc., 186 F.R.D. 605, 608 (E.D. Cal. 1999)
- Days Inn Worldwide, Inc. v. Sonia Invs., 237 F.R.D. 395, 399 (N.D. Tex. 2006)

OPINION

1 2 3 UNITED STATES DISTRICT COURT 4 DISTRICT OF NEVADA 5 6 Autumn White, Case
No. 2:25-cv-01967-ART-NJK 7 Plaintiff(s), Order 8 v. [Docket No. 8] 9 Costco Wholesale
Corporation, 10 Defendant(s). 11 Pending before the Court is a stipulation to extend case
management deadlines by 90 days. 12 Docket No. 8. 13 I. STANDARDS 14 The Ninth Circuit has
emphasized repeatedly the importance of scheduling orders, see 15 Desio v. State Farm Mut.

Auto. Ins. Co., 339 F.R.D. 632, 641 (D. Nev. 2021) (collecting cases), 16 and has stated bluntly
that Rule 16 scheduling orders must “be taken seriously,” Janicki Logging 17 Co. v. Mateer, 42
F.3d 561, 566 (9th Cir. 1994).

The Ninth Circuit has further elaborated that 18 “[t]he use of orders setting a firm discovery cutoff
date is commonplace, and has impacts generally 19 helpful to the orderly progress of litigation, so
that the enforcement of such an order should come 20 as a surprise to no one.” Cornwell v. Electra
Cent. Credit Union, 439 F.3d 1018, 1027 (9th Cir. 21 2006).

22 A request to extend deadlines in the scheduling order must be premised on a showing of 23
good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether
24 the subject deadlines cannot reasonably be met despite the exercise of diligence. Johnson v. 25
Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). “The diligence obligation is 26
ongoing.” Morgal v. Maricopa Cnty.

Bd. of Supervisors, 284 F.R.D. 452, 460 (D. Ariz. 2012). 27 “The showing of diligence is
measured by the conduct displayed throughout the entire period of 28 time already allowed.”
Williams v. James River Grp. Inc., 627 F. Supp. 3d 1172, 1177 (D. Nev. 1 2022).

The Court considers whether relief from the scheduling order is sought based on the 2
development of matters that could not have been reasonably anticipated at the time the schedule 3

was established. *Jackson v. Laureate, Inc.*, 186 F.R.D. 605, 608 (E.D. Cal. 1999). “[C]arelessness 4 is not compatible with a finding of diligence and offers no reason for a grant of relief.” *Johnson*, 5 975 F.2d at 609.

That an extension request is unopposed “neither mandates allowance of the 6 extension sought nor exempts parties from making the necessary showings to justify that relief. 7 Failure to provide such showings may result in denial of [an unopposed] request to extend the case 8 management deadlines.” *Williams*, 627 F. Supp. 3d at 1178. When diligence has not been shown 9 in support of an extension request, “the inquiry should end.” *Johnson*, 975 F.2d at 609.

10 II. ANALYSIS 11 The stipulation fails to establish good cause for any extension, let alone for an extraordinary 12 extension of 90 days. Cf. Local Rule 26-1(b)(1) (establishing that entire discovery period is 13 generally only 180 days). 14 Discovery diligence is plainly lacking here.

The parties held their Rule 26(f) conference 15 months ago on September 23, 2025, and they filed their discovery plan months ago on October 24, 16 2025, see Docket No. 13 at 2; see also Docket No. 8 (scheduling order entered on October 27, 17 2025).

In the intervening time, no affirmative discovery has been completed.1 The only 18 affirmative discovery that has been attempted involves written discovery served more than two 19 months ago that, for reasons unstated, remains unanswered. See Docket No. 13 at 5. Otherwise, 20 the stipulation simply indicates that the parties will be setting depositions and otherwise engaging 21 in discovery.

See *id.* at 5-7. What is absent is any meaningful discussion as to why none of that 22 discovery has taken place in the preceding months. The stipulation simply makes vague reference 23 to “the holidays [and] schedules of counsel of witnesses,” which would account for several months 24 of inaction. See Docket No. 13 at 8.

The stipulation also makes vague reference to “discussing 25 possible early settlement,” see *id.*, which is reasoning that fails as a matter of law to establish good 26 27 1 The parties have exchanged their mandatory initial disclosures, but they have not 28 completed any written discovery or any deposition. 1}, cause given the lack of discovery diligence, e.g., *Williams*, 627 F. Supp. 3d at 1181 (collecting 2|| cases).?

3 Notwithstanding the above, as a one-time courtesy to the parties, the Court will allow a 30- day extension of the case management deadlines. To be crystal clear, the parties must immediately 5], move forward with discovery with the required diligence.

The Court is not inclined to extend these 6] deadlines further and will require moving forward a robust showing that the applicable standards 7] have been met. 8] I. CONCLUSION 9 Accordingly, the Court GRANTS in part and DENIES in part the stipulation to extend case

management deadlines. Case management deadlines are RESET as follows: 11 e Amend pleadings/ add parties: closed 12 e Initial expert disclosures: February 9, 2026 13 e Rebuttal experts: March 9, 2026 14 e Discovery cutoff: April 8, 2026 15 e Dispositive motions: May 8, 2026 16 e Joint proposed pretrial order: June 8, 2026, or 30 days after resolution of dispositive 17 motions 18 IT IS SO ORDERED.

19 Dated: January 6, 2026, Nancy J. Koppe 21 United States Magistrate Judge 22 23 24)? The stipulation appears to indicate that there is good cause for an extension because “[t]his is a significant personal injury matter” with extensive damages claimed. See Docket No. 13 at 4. If in fact counsel view this as significant litigation, it is not clear why they have not pursued 26] discovery with haste.

Cf *Days Inn Worldwide, Inc. v. Sonia Invs.*, 237 F.R.D. 395, 399 (N.D. Tex. 2006) (“the alleged importance of the documents appears inconsistent with the delay in seeking 27| the documents”). At any rate, the identified claims for damages do not appear particularly significant for a case pending in federal court. Compare Docket No. 13 at 4 with 28 U.S.C. § 1332 28] (requiring minimum amount in controversy in diversity cases to exceed \$75,000).