

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

OPINION

White

PER CURIAM.

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 management deadlines.” Williams, 627 F. Supp. 3d at 1178. When diligence has not been shown 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).

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