

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA**

Akrami v. Seaworld Parks & Entertainment, Inc.

No. 24cv171-W (MSB) (S.D. Cal. Mar. 3, 2025) · No. 24cv171-W (MSB) · Decided March 3, 2025

OPINION

Akrami v. Seaworld Parks & Entertainment, Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 FATEMEH AKRAMI, Case No.: 24cv171-W (MSB) 12 Plaintiff,

ORDER GRANTING IN PART AND

13 v. DENYING IN PART JOINT MOTION FOR

CONTINUANCE [ECF NO. 33]

14 SEAWORLD PARKS & ENTERTAINMENT,

INC., et al., 15 Defendants. 16 17 18 Pending before the Court is the parties’ “Joint Motion Stipulating to the 19 Continuance of Discovery Deadlines and Other Pre-Trial Proceedings,” filed by Plaintiff 20 Fatemeh Akrami (“Plaintiff”) and Defendant SeaWorld LLC (“Defendant”) on February 21 27, 2025. (ECF No. 33, hereinafter “Joint Motion.”) The parties ask that the remaining 22 case schedule be continued by approximately sixty days for the following reasons: (1) 23 Defendant has not received all subpoenaed records; (2) Defendant was unable to 24 depose Plaintiff earlier because defense counsel had to unexpectedly try a different 25 case; and (3) Plaintiff is unavailable for a deposition until April 2025. (Id. at 4.) 26 The Court held an Early Neutral Evaluation and Case Management Conference 27 nearly one year ago on March 11, 2024. (ECF No. 9.) The following day, the Court 28 continuance on July 15, 2024, and a ninety-day continuance on December 5, 2024. (See 3 ECF Nos. 20 & 29.) The most recent Scheduling Order warned that “[a]s this is the 4 second lengthy modification to the case schedule, future continuances will not be 5 considered absent extraordinary circumstances.” (ECF No. 29 at 3.) During a telephonic 6 Case Management Conference on January 7, 2025, the Court informed the attorneys it 7 would be willing to allow Plaintiff’s deposition to take place past the close of fact 8 discovery. (ECF No. 32.) Now, the parties seek to continue all case deadlines by 9 approximately sixty days. (ECF No. 33 at 5.) 10 A scheduling order “may be modified only for good cause and with the judge’s 11 consent.” Fed. R. Civ. P. 16(b)(4). The good cause standard “primarily considers the 12 diligence of the party seeking the amendment. The district court may modify the 13 pretrial schedule ‘if it cannot reasonably be met despite the diligence of the party 14 seeking

the extension.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). Here, the discovery cutoff has been continued by approximately 150 days from January 13, 2025 to June 9, 2025. (ECF Nos. 10 & 29.) Considering the substantial continuances to date and the relative complexity of this case, the Court does not find the parties have articulated extraordinary circumstances warranting an additional sixty- 19 day continuance. However, the Court will provide a thirty-day extension to 20 accommodate defense counsel’s unexpected trial obligations and Plaintiff’s deposition. 21 Accordingly, the Joint Motion is GRANTED in part and DENIED in part as follows:

22 EVENT PREVIOUS DEADLINE NEW DEADLINE

23 Fact Discovery Deadline March 14, 2025 April 14, 2025 24 Expert Designation March 14, 2025 April 14, 2025 25 Rebuttal Expert Exchange March 28, 2025 April 28, 2025 26 Expert Disclosures April 25, 2025 May 28, 2025 27 Supplemental Disclosures May 9, 2025 June 11, 2025 3 ||| Mandatory Settlement September 29, 2025, at November 3, 2025, at 9:30 7 ||| Meeting of Counsel, Local | October 14, 2025 November 17, 2025 9 ||| Plaintiff to Provide Pretrial | October 20, 2025 November 24, 2025 omen 11 Proposed Final Pretrial October 27, 2025 December 1, 2025 omeneone 14 ||| Final Pretrial Conference November 10, 2025, at December 15, 2025, at ee on ewe 16 17 ||As this is the third continuance, future requests to substantially alter the case schedule 18 || will not be considered. 19 IT IS SO ORDERED. 20 || Dated: March 3, 2025 _ = 21 Pe Honorable Michael S. Berg 22 United States Magistrate Judge 23 24 25 26 27 || ——— 28 All guidelines in the Court’s original Scheduling Order remain in place. (See ECF No. 10.)