

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Autoport (Michigan) Ltd. v. Universal Protection Service, LLC

Autoport · No. 2:25-cv-10408 · Decided March 12, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied Universal Protection Service, LLC’s motion for reconsideration of an order denying an extension of the discovery deadline. The court held that the defendant failed to show a qualifying mistake, good cause, or excusable neglect, and had not explained its failure to diligently pursue depositions during the nine-month discovery period.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	Susan K. DeClercq
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	March 12, 2026
DOCKET	2:25-cv-10408
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for reconsideration of the court's order denying its post-deadline motion to extend discovery and compel depositions.
STANDARD OF REVIEW	A motion for reconsideration of a nonfinal order is governed by E.D. Mich. LR 7.1(h)(2). The movant must show a court mistake, that correcting the mistake would change the outcome, and that the mistake was based on the record and law before the court; alternatively, an intervening change in controlling law or newly discovered facts may support reconsideration. For a post-deadline extension, the movant must show both good cause and excusable neglect under Fed. R. Civ. P. 6(b)(1)(B).
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court opinion

TOPICS

- motion for reconsideration
- discovery dispute
- civil procedure
- breach of contract
- negligence

PRACTICE AREAS

civil procedure

contracts

negligence

commercial litigation

QUESTIONS PRESENTED

1. Whether Defendant demonstrated grounds for reconsideration under E.D. Mich. LR 7.1(h)(2)(A).
2. Whether any alleged error concerning the timeliness of Defendant's post-deadline motion would have changed the prior ruling.
3. Whether Defendant established good cause and excusable neglect for extending discovery after the deadline.

HOLDINGS

1. Defendant did not establish that the court made a mistake, that correcting any alleged mistake would change the outcome, or that the prior ruling was mistaken based on the record and law before the court.
2. Defendant failed to establish good cause or excusable neglect because it did not diligently pursue the depositions during the nine-month discovery period and did not timely seek relief before the deadline expired.
3. A settlement conference is not a vehicle for addressing discovery failures or a substitute for timely motion practice, and counsel's expectation that it would revive lapsed discovery rights did not establish good cause or excusable neglect.

KEY QUOTATIONS

"Settlement conferences are convened to afford parties an opportunity to resolve their dispute on agreed terms — they are not a vehicle for addressing discovery failures or a substitute for timely motion practice."
(PageID.319)

"The Court's conclusion that Allied had ample time—nine months—to secure the depositions and failed to do so without explanation remains unaddressed and undisturbed by Allied's motion." (PageID.319)

FACTUAL BACKGROUND

The court had provided approximately nine months for fact discovery and later extended the deadline to February 6, 2026. Defendant did not depose three of Plaintiff's employees during that period. After the deadline, Defendant waited eleven days and then moved to compel, citing canceled or rescheduled depositions, defense counsel's family medical emergency, and an assumption that the issue would be addressed at a later settlement conference.

PROCEDURAL HISTORY

Autoport filed a breach-of-contract and negligence action against Universal Protection Service, LLC. The court set and later extended the fact-discovery deadline to February 6, 2026. Eleven days after the deadline, Defendant moved to compel depositions of three of Plaintiff's employees and to extend discovery; the court denied that

motion for lack of good cause, excusable neglect, and diligence. Defendant then moved for reconsideration under Eastern District of Michigan Local Rule 7.1(h)(2), and the court denied reconsideration.

DISPOSITION

other

CASES CITED

- Hillman Power Co. v. OnSite Equip. Maint., Inc., 582 F. Supp. 3d 511, 514 (E.D. Mich. 2022)
- Turner v. City of Taylor, 412 F.3d 629, 650 (6th Cir. 2005)

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