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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

KATHERINE PRESCOTT,

Plaintiff,

v.

RADY CHILDREN’S HOSPITAL –
SAN DIEGO,

Defendant.

Case No.: 16cv2408-BTM-LL

**ORDER DENYING JOINT MOTION
TO MODIFY SCHEDULING ORDER**

[ECF No. 66]

On April 18, 2019, the Parties filed a “Joint Motion to Modify Portions of the Scheduling Order Regulating Discovery and other Pre-trial Proceedings.” ECF No. 66. The Parties seek an extension of the deadlines to: (1) designate expert witnesses; (2) exchange rebuttal expert witnesses; and (3) complete fact discovery. *Id.* at 2. In support, the Parties state they have “agreed to attend a private mediation with Judicate West on May 21, 2019” and “the parties wish to keep all costs to a minimum in order to encourage settlement.” *Id.*

The Court does not find good cause to continue the deadlines as requested. The instant case has been pending since 2016. *See* ECF No. 1. While the Court appreciates the Parties’ desire to focus their efforts on resolving this case through private mediation, the Court is confident the Parties are capable of proceeding forward with the mediation while simultaneously conducting fact and expert discovery, thereby moving the case forward and

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preventing further time from being lost should the mediation be unsuccessful.

For these reasons, the Parties’ motion is **DENIED**. All case deadlines remain as previously set. See ECF No. 44.

IT IS SO ORDERED.

Dated: April 22, 2019



Honorable Linda Lopez
United States Magistrate Judge