

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EVOLUTION MALTA LIMITED, *et al.*,
Plaintiffs,
v.
LIGHT & WONDER, INC., *et al.*,
Defendants.

Case No.: 2:24-cv-00993-CDS-NJK

Order

[Docket No. 150]

Pending before the Court is the parties’ stipulation to extend the discovery cut off date by 210 days. Docket No. 150.

A request to extend unexpired deadlines in the scheduling order must be premised on a showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).¹

Here, the parties have failed to demonstrate diligence. The Court issued the scheduling order in this case on January 16, 2025. Docket No. 71. Nonetheless, the parties have conducted little affirmative discovery. Docket No. 150 at 3-4.

The parties submit that they have been unable to complete written discovery, ESI discovery, or begin fact depositions, due to the “extensive motion practice in this case.” *Id.* at 4. Motion practice is the foundation of federal litigation and is not a sufficient reason to not engage in discovery. Further, the parties submit that they “anticipate filing a stipulated motion to stay

¹ That a request is jointly submitted “neither mandates allowance of the extension sought nor exempts parties from making the necessary showings to justify that relief. Failure to provide such showings may result in denial of a stipulated request to extend the case management deadlines.” *Williams v. James River Grp. Inc.*, 627 F. Supp. 3d 1172, 1178 (D. Nev. 2022).

1 discovery until January 16, 2026.” *Id.* The Court is not inclined to modify the case management
2 schedule simply because a motion, that may or may not be granted, might be filed.

3 Accordingly, the stipulation is **DENIED** without prejudice. Docket No. 150.

4 IT IS SO ORDERED.

5 Dated: July 28, 2025

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8 Nancy J. Koppe
9 United States Magistrate Judge
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