CASCADE ORCHARD COOPERATIVE, a Washington cooperative association, Plaintiff, v. **NORTHGATE FREIGHT SYSTEMS, INC.,** a Delaware corporation, Defendant.	**Case No. 3:26-cv-01847-JRK** **DEFENDANT'S MEMORANDUM IN SUPPORT OF MOTION TO AMEND THE SCHEDULING ORDER** Hearing: November 6, 2026, 9:30 a.m. Courtroom 4B, Hon. Julia R. Kessler

Memorandum in Support of Motion to Amend the Scheduling Order

Defendant Northgate Freight Systems, Inc. ("Northgate") moves under Federal Rule of Civil Procedure 16(b)(4) to extend the deadline for expert disclosures from November 14, 2026 to January 9, 2027. Plaintiff's counsel has stated that Plaintiff opposes the motion.[1]

I. Background

The Court entered its Scheduling Order on April 3, 2026 (ECF No. 18). On August 22, 2026, Plaintiff produced 41,370 pages of maintenance records, roughly ½ of which had been requested in Northgate's first set of requests for production served in May.[2] Northgate's expert cannot complete a fleet-wide failure analysis without those records.

II. Legal Standard

A scheduling order "may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). Good cause exists when a deadline "cannot reasonably be met despite the diligence of the party seeking the extension." *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

III. Argument

Northgate has acted diligently. It served its requests in May, met and conferred three times, and raised the delay at the July 17 status conference. The proposed schedule moves each remaining deadline by the same interval and does not affect the trial date.

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[1] Counsel met and conferred by video on September 29, 2026, as required by Local Rule 7-1(a). Plaintiff's counsel did not propose an alternative schedule.

[2] See Declaration of Priya Venkataraman ¶¶ 4–9 (ECF No. 41-2). The production arrived as 312 unsearchable image files.

Event	Deadline		Change (days)
	Current	Proposed	
Opening expert reports	Nov. 14, 2026	Jan. 9, 2027	+56
Rebuttal expert reports	Dec. 14, 2026	Feb. 23, 2027	+71
Close of expert discovery	Jan. 15, 2027	Mar. 19, 2027	+63
Dispositive motions	Feb. 12, 2027	Apr. 16, 2027	+63
Trial	Sept. 13, 2027	Sept. 13, 2027	0

The amended schedule gives Plaintiff ~~thirty~~ forty-five days to serve rebuttal reports, which is more time than the current order allows.[3] Neither party will be prejudiced.

IV. Conclusion

For these reasons, Northgate respectfully asks the Court to grant the motion and enter the amended schedule above.

Dated: October 2, 2026 — Respectfully submitted,

/s/ Marguerite Delacroix-Oyelaran
Marguerite Delacroix-Oyelaran (SBN 284 519)
Counsel for Defendant Northgate Freight Systems, Inc.

[3] Under the current order, rebuttal reports are due 30 days after opening reports. The amended order allows 45 days, consistent with 28 U.S.C. § 1332(a) cases of this size in this District.