UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JOE BURGOS VEGA, et al.	:	
	:	PRISONER
v.	:	Case No. 3:04CV1215(DFM)
	:	
THERESA LANTZ et al.	:	

RULING AND ORDER

Plaintiff has filed motions to preserve evidence and for extension of time to respond to defendants' motion for judgment on the pleadings.

First, plaintiff asks the court to order that security video tapes of meal cooking, preparation and serving in the kitchens at MacDougall Correctional Institution and any other level 3-4 facility to which plaintiff may be transferred in the future, for the period from January 1, 2006, through February 1, 2006, be preserved. Because this motion relates to discovery matters, plaintiff must comply with the requirements of Rule 37, D. Conn. L. Civ. R. The rule provides in relevant part:

> No motion pursuant to Rules 26 through 37, Fed. R. Civ. P., shall be filed unless counsel making the motion has conferred with opposing counsel and discussed the discovery issues between them in detail in a good faith effort to eliminate or reduce the area of controversy, and to arrive at a mutually satisfactory resolution.

The purpose of this rule is to encourage the parties to make a good faith effort to resolve the dispute without the intervention

of the court. See Getschmann v. James River Paper Co., Inc., Civil 5:92cv163 (WWE), slip op. at 2 (D. Conn. January 14, 1993) (court should not "become unnecessarily involved in disputes that can and should be resolved by the parties").

Plaintiff does not indicate that he has contacted defendants' counsel to request that these tapes be preserved. Thus, he has not complied with the requirements of Local Rule 37. Plaintiff's motion is denied without prejudice is premature.

Second, plaintiff seeks an extension of time, until April 1, 2006, to respond to defendants' motion for judgment on the pleadings. Plaintiff's motion is granted.

In conclusion, plaintiff's motion to preserve evidence [**doc. #63**] is **DENIED** without prejudice as premature. His motion for extension of time [**doc. #64**] is **GRANTED**. Plaintiff shall file his opposition to defendants' motion for judgment on the pleadings on or before **April 1, 2006.**

SO ORDERED this 2nd day of February, 2006, at Hartford, Connecticut.

/s/ Donna F. Martinez
DONNA F. MARTINEZ
UNITED STATES MAGISTRATE JUDGE