

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

CEDRIC YOUNG,	:	
Plaintiff,	:	
	:	
v.	:	Case No. 3:09-cv-1205(CSH)
	:	
JEFFREY MCGILL, et al.,	:	
Defendants.	:	

RULING AND ORDER

The plaintiff seeks an order compelling the defendants to produce requested discovery materials as well as for the imposition of sanctions. For the reasons that follow, the motion is denied.

Rule 37, D. Conn. L. Civ. R., requires that, before filing a motion to compel, the moving party must confer with opposing counsel in a good faith effort to resolve the dispute. The purpose of this rule is to encourage the parties to resolve discovery disputes without court intervention. See Hanton v. Price, No. 3:04cv473(CFD), 2006 WL 581204, at *1 (D. Conn. Mar. 8, 2006). If discussions are not successful, the party moving to compel must submit an affidavit certifying the attempted resolution and specifying which issues were resolved and which remain. The plaintiff has not attached an affidavit to either motion.

In addition, Rule 37(b)1 requires that any discovery motion be accompanied by a memorandum of law "contain[ing] a concise

statement of the nature of the case and a specific verbatim listing of each of the items of discovery sought or opposed, and immediately following each specification shall set forth the reason why the item should be allowed or disallowed." Copies of the discovery requests must be included as exhibits. The plaintiff has not complied with any of these requirements. In addition, the defendants state that they now have provided all of the requested discovery.

In conclusion, plaintiff's motion to compel [**doc. #28**] is **DENIED**.

SO ORDERED this 10th day of November 2010, at New Haven, Connecticut.

/s/ Ellen Bree Burns
Ellen Bree Burns
Senior United States District Judge