

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

THOMAS L. HOLMES,	:	
Plaintiff,	:	
	:	
v.	:	CASE NO. 3:12-cv-1265 (AVC)
	:	
PEREZ, et al.,	:	
Defendants.	:	

RULING ON PLAINTIFF'S MOTION TO COMPEL

The plaintiff, currently incarcerated, has filed a motion to compel production of documents and interrogatory responses. Motions to compel are governed by Rule 37 of the Federal Rules of Civil Procedure and District of Connecticut Local Civil Rule 37. The local rule 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 issues remain. In addition, Local Rule 37(b)1 requires that copies of the discovery requests are to be included as exhibits.

The plaintiff has not complied with any of these requirements. He has not provided a copy of the discovery requests and, although

he refers to several letters to counsel as exhibits in his declaration, no exhibits were submitted to the court. In his memorandum, the plaintiff attempts to narrow or explain some of his requests. This attempt to clarify or resolve the discovery issue should be made with defendants' counsel before seeking court involvement.

The plaintiff's motion to compel [Doc. #25] is **DENIED** without prejudice to refiling in compliance with the local court rule.

SO ORDERED at Hartford, Connecticut, this 11th day of December 2013.

/s/ Thomas P. Smith
Thomas P. Smith
United States Magistrate Judge