

Local Rule 37-1 - Discovery Disputes

(a) Required Actions Prior to Court Involvement. Prior to involving the court in any discovery dispute, including disputes involving depositions, the parties must confer in a good faith attempt to resolve the dispute. If any such dispute cannot be resolved in this manner, one or both parties shall contact the chambers of the assigned Magistrate Judge to determine whether the Magistrate Judge is available to resolve the discovery dispute by way of a telephone conference or other proceeding prior to a party filing a formal discovery motion. When the dispute involves an objection raised during a deposition that threatens to prevent completion of the deposition, any party may recess the deposition to contact the Magistrate Judge's chambers.

(b) Requirements of Motion to Compel. In the event that the discovery dispute is not resolved at the conference, a party may file a motion to compel or other motion raising the dispute. Any motion raising a discovery dispute must contain a statement setting forth the efforts taken to resolve the dispute, including the date, time, and place of any discovery conference and the names of all participating parties. The court may deny any motion raising a discovery dispute that does not contain such a statement.

Notes: Amended December 1, 2018, to require counsel contact the Magistrate Judge to request a conference to resolve discovery disputes before filing a motion. Amended July 1, 2023, to remove an exception for *pro se* litigants.