

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

RONALD CHERRY

PLAINTIFF

vs.

Case No. 4:13-cv-04095

SOUTHERN REFRIGERATED
TRANSPORT

DEFENDANT

ORDER

Before the Court is a Motion to Compel Discovery filed by Plaintiff. ECF No. 46. Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3) (2009), the Honorable Susan O. Hickey referred this Motion to this Court. After considering this Motion, the Court finds it should be **DENIED** because Plaintiff did not comply with Local Rule 7.2(g) prior to filing this Motion.

Local Rule 7.2(g) requires “[a]ll motions to compel discovery and all other discovery-enforcement motions and all motions for protective orders *shall contain a statement by the moving party that the parties have conferred in good faith on the specific issue or issues in dispute* and that they are not able to resolve their disagreements without the intervention of the Court.” (emphasis added). Local Rule 7.2(g) further provides the following: “If any such motion lacks such a statement, that motion may be dismissed summarily for failure to comply with this rule.” Plaintiff’s motion lacks this statement and it appears Plaintiff has made no attempt to resolve the discovery issues in dispute prior to this Motion being filed.

Accordingly, because Plaintiff did not comply with Local Rule 7.2(g) prior to filing his Motion, this Motion (ECF No. 46) is **DENIED** without prejudice to refiling upon Plaintiff's compliance with the local rules of this court.

Further, all Parties are directed to comply with Local Rule 7.2(g) and meet and confer, either in person or by phone prior to filing any future motion to compel discovery, discovery-enforcement motion, or motion for protective order. **Any future violation of Rule 7.2(g) may result in sanctions being imposed.**

ENTERED this **3rd day of February 2015.**

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE