

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-00317-PAB-BNB

MAX RUTHENBECK,

Plaintiff,

v.

ALLIED INTERSTATE, INC., a Minnesota corporation,

Defendant.

ORDER

In a Fair Debt Collection Practices Act case, the defendant asks me to either (1) coordinate the scheduling and settlement conference in this case with one or several of the three other such cases pending against it by plaintiffs represented by plaintiff's counsel here, David Larson; or (2) allow the defendant's client representative to attend the settlement conference by telephone. The defendant's representative resides in New York and, according to the defendant "travel costs would be prohibitive to personally attend all four conferences scheduled within weeks of each other." Motion to Consolidate Scheduling Conferences [etc.] [Doc. # 10, filed 4/21/2009] (the "Motion"). In connection with the obligation imposed by Local Rule of Practice 7.1A, D.C.COLO.LCivR, the defendant states in the Motion the following:

Counsel for Defendant has conferred with counsel for Plaintiff regarding this Motion by calling him and sending him an email on Monday, April 20, 2009. Counsel for Defendant has not yet received a response.

Motion at ¶1.

The defendant has failed to satisfy its obligation under Rule 7.1A, see Hoelzel v. First

Select Corp., 214 F.R.D. 634, 636 (D. Colo. 2003), and the Motion is denied for that reason. I would have been willing to accommodate the defendant's request to coordinate the conferences if it had meaningfully conferred with the plaintiff's counsel and obtained his consent. I am confident that plaintiff's counsel, had he been reasonably presented with the opportunity, similarly would have shown flexibility to accommodate the defendant's needs.

IT IS ORDERED that the Motion is DENIED for failure meaningfully to comply with the requirements of Rule 7.1A, D.C.COLO.LCivR.

Dated April 22, 2009.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge