

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02681-REB-MEH

DAWNMARIE FIECHTNER,

Plaintiff,

v.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY,

Defendant.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on November 1, 2010.**

Plaintiff's Motion to Compel Complete Claim File [filed October 27, 2010; docket #113(sealed)] is **denied without prejudice** for failure to fully comply with D.C. Colo. LCivR 7.1A and Fed. R. Civ. P. 37(a)(1). Plaintiff represents that she "attempted to confer . . . through written correspondence dated September 22, 2010. To date, no response has been received from Defendant." (Docket #113 at 1.) However, because Rule 7.1A requires meaningful negotiations by the parties, the rule is not satisfied by one party sending the other party a single email, letter or voicemail. *See Hoelzel v. First Select Corp.*, 214 F.R.D. 634, 636 (D. Colo. 2003). The Court believes denial without prejudice of this motion is further warranted given the time between attempting to confer and the filing of a motion (a little over one month) and in consideration of the substantial sanctions requested by Plaintiff, including an adverse jury instruction.