

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-03094-MSK-KLM

CYNTHIA A. COLLINS,

Plaintiff,

v.

ARKANSAS VALLEY COMMUNITY CENTER FOR THE HANDICAPPED AND FOR
RETARDED PERSONS, INC.,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion to Enforce Full and Final Release** [Docket No. 43; Filed February 6, 2012] (the "Motion"). Plaintiff has failed to comply with D.C.COLO.LCivR 7.1A., which provides as follows: "The Court will not consider any motion, other than a motion under Fed. R. Civ. P. 12 or 56, unless counsel for the moving party or a *pro se* party, before filing the motion, has conferred or made reasonable, good faith efforts to confer with opposing counsel or a *pro se* party to resolve the disputed matter." In the Motion, counsel for Plaintiff states that she "provided Notice to counsel regarding the filing of this motion, but have received no response." On Friday, February 3, she gave notice to Defendant's counsel that she would file this Motion if she did not receive the settlement checks within three days. On Monday, February 6, Plaintiff's counsel filed this Motion. Counsel for Plaintiff thus waited just one **business** day for a response to her message before filing the Motion. This does not amount to a "reasonable, good faith effort" to confer. After contacting opposing counsel about a disputed matter, counsel for the moving party is advised to wait at least three **business** days for a response before filing a motion with the Court. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED without prejudice**.

Dated: February 7, 2012