

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00355-PAB-KLM

DARWYNN L. BARWICK,

Plaintiff,

v.

JEFFREY BEHNKE, D.P.O. No. 96003, and  
MICHEAL MAY, D.P.O. No. 00045,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's "**Motion Objecting to the Defendant's, Fed.R.Civ P. [sic] 26(a)(1) Initial Disclosures . . .**" [Docket No. 37; Filed December 2, 2011] (the "Motion"). The Motion does not 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. The moving party shall state in the motion, or in a certificate attached to the motion, the specific efforts to comply with this rule.

Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED WITHOUT PREJUDICE** for Plaintiff's failure to comply with D.C.COLO.LCivR 7.1A.

The Court notes that pursuant to Fed. R. Civ. P. 33(b) and 34(b)(2), objections to written discovery requests need not be submitted to the Court. To the extent that Plaintiff claims that the interrogatories seek information which is not relevant to the subject matter of the litigation, he should make written objections in response to the interrogatories and transmit his responses, with the objections, directly to counsel for Defendants.

Dated: December 5, 2011