

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02544-MSK-KLM

KEVIN D. EVANS,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,

Defendant.

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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 for Leave to File First Amended Complaint Pursuant to Freedom of Information Act, and Rule 7.1(a) Certification** [#34] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion [#34] is **DENIED without prejudice** for Plaintiff's failure to comply fully with D.C.COLO.LCivR 7.1(a). Plaintiff provides insufficient information regarding his efforts to comply. See *Hoelzel v. First Select Corp.*, 214 F.R.D. 634, 635-36 (D. Colo. 2003) (stating that Rule 7.1(a) requires "meaningful negotiations" by the parties; "[t]he rule is not satisfied by one party sending a single e-mail [, letter, or voice message] to another party"). Here, Plaintiff merely states that he "requested the CIA's position with respect to this Motion, and the CIA did not respond." *Motion* [#34] at 3. This statement does not inform the Court that a "reasonable, good faith effort" to confer occurred. After contacting opposing counsel about a disputed matter, the moving party is advised to wait **at least three business days** for a response before filing a motion with the Court.

Dated: February 13, 2014