

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

Civil Action No. 13-cv-00908-RM-BNB

Dr. DORIS RAPP,

Plaintiff,

v.

KARIN HOFFMAN, and
TENDRIL PRESS, LLC

Defendants,

ORDER

This matter arises on plaintiff's Motion for Default Judgment Pursuant to Fed. R. Civ. P. 37(b) and (c) [Doc. # 37, filed 11/4/2013] (the "Motion").¹

Local rule of practice 7.1(a), D.C.COLO.LCivR, provides that with four exceptions, none of which are applicable here:

Before filing a motion, counsel for the moving party or an unrepresented party shall confer or make reasonable good faith efforts to confer with any opposing counsel or unrepresented party to resolve any disputed matter. The moving party shall describe in the motion, or in a certificate attached to the motion, the specific efforts to fulfill this duty.

Plaintiff's counsel apparently is familiar with the requirements of Rule 7.1(a) but, rather than comply, certified:

Plaintiff's counsel has not discussed the grounds for this motion and the relief requested with Defendant Hoffman. Counsel

¹The Motion was referred to me for recommendation on March 14, 2014. Memorandum [Doc. # 41].

believes Hoffman opposes the relief requested herein and that any attempt to discuss the motion would be futile.

Motion [Doc. # 37] at p. 1. It is not apparent why plaintiff's counsel would choose to ignore rather than comply with this requirement.

The Motion was served on November 4, 2013. Pursuant to D.C.COLO.LCivR 7.1(d) and Fed. R. Civ. P. 6, Ms. Hoffman had until November 29, 2013, to respond. No response has been received. Although Ms. Hoffman may proceed pro se, she personally is responsible for complying with all court orders and time limitations established by applicable statutes and rules.

IT IS ORDERED that the Motion [Doc. # 37] is DENIED without prejudice for failure to comply with the requirements of D.C.COLO.LCivR 7.1(a).

Dated March 17, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge