

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00906-RBJ-MEH

JAMES C. CHAVEZ,

Plaintiff,

v.

NESTLE DREYER'S ICE CREAM COMPANY, d/b/a Nestle DSD Company,

Defendant.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on November 6, 2014.**

Before the Court is a Motion to Quash filed by Interested Party Brittany White [filed November 6, 2014; docket #25]. The Court will **deny** the motion **without prejudice** for the following reasons. First, Ms. White failed to comply with D.C. Colo. LCivR 7.1(a), which states,

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.

The motion does not fall under any exception listed in D.C. Colo. LCivR 7.1(b). Thus, if Ms. White re-files her motion, she must comply fully with D.C. Colo. LCivR 7.1(a). *See Hoelzel v. First Select Corp.*, 214 F.R.D. 634, 636 (D. Colo. 2003) (because Rule 7.1(a) requires meaningful negotiations by the parties, the rule is not satisfied by one party sending the other party a single email, letter or voicemail).

Second, Ms. White failed to attach a copy of the challenged subpoena to her motion for the Court's review. Third, Ms. White failed to certify that she served a copy of her motion on the parties in this case in accordance with Fed. R. Civ. P. 5(d). If she determines to re-file her motion, Ms. White shall do so in accordance with this order.