

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00996-KLM

KIMBERLY HINES,

Plaintiff,

v.

PENRAD IMAGING, LLC,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant's **Motion to Amend Answer** [#14] (the "Motion").

IT IS HEREBY ORDERED that the Motion [#14] is **DENIED without prejudice** for Defendant's failure to comply fully with D.C.COLO.LCivR 7.1(a). Defendant provides insufficient information regarding its efforts to confer prior to filing the Motion. 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"). Although Defendant's counsel states that he attempted to contact Plaintiff's counsel twice with respect to the Motion, it is unclear when and how Defendant's counsel attempted to contact Plaintiff's counsel, and it is unclear how long Defendant's counsel waited for a response before filing the present Motion. The information presented does not permit the Court to find that Defendant's counsel's attempts to contact Plaintiff's counsel amounted 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.

The Motion is further subject to denial for Defendant's failure to comply with D.C.COLO.LCivR 10.1(e), which prescribes that motions shall be double spaced.

Dated: June 12, 2014