

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01184-CMA-MEH

MARION BRECHEISEN,

Plaintiff,

v.

BANNER RESOURCES, LLC, and
PETER PARTAIN,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on January 28, 2016.

Defendants' Motion to Compel Discovery Responses [filed January 27, 2016; docket #31] is **denied without prejudice** for Defendants' failure to demonstrate notice to the Plaintiff of their intent to file the motion in accordance with Fed. R. Civ. P. 37(a)(1). Neither Defendants' certificate of conferral nor any attached documents describe Defendants' conferrals with Plaintiff as "an effort to obtain [discovery] without court action" (i.e., Defendants do not attach a copy of their correspondence with Plaintiff which may, in fact, give notice of an intent to involve the court if discovery is not produced).