

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01968-REB-MEH

LARRY SCOTT HUNT,

Plaintiff,

v.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, and
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on February 17, 2016.

Defendant American Family's Motion for Protective Order [filed February 15, 2016; docket #23] is **denied without prejudice** for the following reasons. First, the motion reflects a failure 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). The Court reminds the parties of their continuing obligations to 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, the motion and proposed order fail to comply with D.C. Colo. LCivR 10.1E. Third, this Court is not governed by "C.R.C.P. 26(c)," and any protective order issued by this Court will be governed by Fed. R. Civ. P. 26(c) and all other applicable federal rules. Fourth, the proposed order is not consistent with the court's protective order delineated in *Gillard v. Boulder Valley Sch. Dist.*, 196 F.R.D. 382 (D. Colo. 2000), in which the court requires a **specific** mechanism by which the parties may challenge the designation of information as confidential. *See id.* at 388-89.

Finally, if American Family or the parties choose to re-file a motion for protective order, they shall provide the Court with a copy of the proposed order in useable format (Word, Word Perfect)

by emailing it to hegarty_chambers@cod.uscourts.gov.