

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

MELANIE SAMS,

Plaintiff,

v.

Case No: 5:15-cv-124-Oc-30PRL

THE CENTERS, INC.

Defendant.


ORDER

This case comes before the Court for consideration of Defendant's Motion to Compel (Doc. 22), to which Plaintiff has responded (Doc. 23). Upon review of the parties' briefs, however, it is immediately apparent that counsel for the Defendant has not fully complied with the letter or spirit of Local Rule 3.01(g), which requires a moving party to confer with the opposing party in a good faith effort to resolve the issues raised by the motion. Defendant's motion fails to contain the certificate required by Local Rule 3.01(g), and Plaintiff responds that "Defendant's counsel has never attempted to call or discuss or confer with the undersigned." Importantly, the parties' briefs make it obvious that the discovery dispute is a matter of lack of communication, and the dispute could be easily resolved or narrowed with good faith communications between counsel.

Accordingly, Defendant's motion (Doc. 22) is **DENIED**. Defendant is advised that the Court will not entertain a renewed motion to compel on the same grounds as those raised in Defendant's motion unless Defendant's counsel demonstrates that, prior to making the motion, counsel fully complied with Local Rule 3.01(g) and conferred either in person or via telephone and specifically discussed each and every discovery request in dispute.

Further, the Court observes that this is not the first time that counsel for Defendant, Maria Santoro, has neglected to comply with the Local Rules. Previously, the undersigned was obliged to strike Defendant's repeated filings of discovery material, which are not permitted under the Local Rules. (Doc. 17). Ms. Santoro is reminded that attorneys admitted to practice in this district must read and familiarize themselves with the Local Rules of the Middle District of Florida.

DONE and **ORDERED** in Ocala, Florida on February 29, 2016.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties