

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-61572-CIV-ZLOCH

STEPHEN A. KARAKIS,

Plaintiff,

vs.

O R D E RGULFSTREAM PARK RACING
ASSOCIATION, INC.Defendants.

THIS MATTER is before the Court upon Defendant's Motion To Consolidate Cases (DE 14). The Court has carefully reviewed said Motion and the entire court file and is otherwise fully advised in the premises.

Pursuant to Local Rule 7.1(A)(3) of the United States District Court for the Southern District of Florida, counsel for the party making a motion like the instant one must confer with opposing counsel in an effort to resolve the issues raised therein. In addition to so conferring, the motion must include a certification that said conference occurred. Failure to comply with Local Rule 7.1(A)(3) is grounds for denying the deficient motion.

The Court notes that the instant Motion contains no certification that counsel for the movant conferred with opposing counsel. The mere fact that Plaintiff "did make a preliminary objection to consolidation in a moot and unnecessary response (DE 13) to the Notice of Pendency of Other Actions filed by the Defendants" does not obviate Defendant's obligation under the Local

Rules. DE 14, ¶ 5.

Accordingly, after due consideration, it is

ORDERED AND ADJUDGED that Defendant's Motion To Consolidate Cases (DE 14) be and the same is hereby **DENIED**, without prejudice, for failure to comply with Local Rule 7.1(A)(3) of the United States District Court for the Southern District of Florida.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 18th day of November, 2008.



WILLIAM J. ZLOCH
United States District Judge

Copies furnished:

All Counsel of Record