

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 13-22597-CIV-MORENO

JOSE ANTONIO CHECA CURI,

Plaintiff,

vs.

PERSHING LLC.,

Defendant.

/

**ORDER DENYING PLAINTIFF'S MOTION TO COMPEL THE PRODUCTION OF
DOCUMENTS FROM DEFENDANT**

THIS CAUSE came before the Court upon Plaintiff's Motion to Compel the Production of Documents from Defendant Pershing LLC (**D.E. No. 27**), filed on March 28, 2014.

THE COURT has considered the motion and the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that for good cause shown, the motion is **DENIED** for failure to conform to Local Rules 7.1(a)(3) and 7.1(c)(2).

Rule 7.1(a)(3) directs:

(3) *Pre-filing Conferences Required of Counsel.* Prior to filing any motion in a civil case, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief can be granted, or to involuntarily dismiss an action, counsel for the movant shall confer (orally or in writing), or make reasonable effort to confer (orally or in writing), with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve by agreement the issues to be raised in the motion.... **At the end of the motion, and above the signature block, counsel for the moving party shall certify either: (A) that counsel for the movant has conferred with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort**

to resolve the issues raised in the motion and has been unable to do so; or (B) that counsel for the movant has made reasonable efforts to confer with all parties or non-parties who may be affected by the relief sought in the motion, which efforts shall be identified with specificity in the statement, but has been unable to do so.

Moreover, Local Rule 7.1(c)(2) advises:

(2) Length. Absent prior permission of the Court, neither a motion and its incorporated memorandum of law nor the opposing memorandum of law shall exceed twenty (20) pages.

The Court determines that Plaintiff's counsel failed to represent at the end of the Motion, above the signature block, that counsel attempted to confer with all parties or made reasonable efforts to do so. Moreover, counsel clearly violates the page limitation, as set forth by the Local Rules, by submitting a 21-page motion and incorporated memorandum of law. Accordingly, this Motion is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 2nd day of April, 2014.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to:

COUNSEL OF RECORD