

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

WILLIAM M. CHAUNCEY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL NO. 5:14-cv-133-CAR-MSH
	:	
MICHAEL GILLS, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

Presently pending before the Court are two motions to compel filed by Plaintiff. (ECF Nos. 36 & 38.)¹ The documents sought are a list of all inmates housed in the J-1 dormitory at Wilcox State Prison on the August 19 and 20, 2013, and a list of addresses for certain potential witnesses relevant to Plaintiff's cause of action. Defendants responded to the first motion (ECF No. 37) and asserted two defenses. First, Defendants assert that Plaintiff has failed to comply with the good faith conference requirement of Rule 37(a)(1) of the Federal Rules of Civil Procedure and Local Rule 37. Second, Defendants assert that their response to the first request was adequate and that although the time to respond to the second request had not yet run when Plaintiff filed his first motion, they subsequently responded to both requests in a response to Plaintiff dated March 9, 2015.

As Plaintiff dated his second motion on March 29, 2015, it appears that he remains

¹ The two motions are substantially similar with the only difference being that Plaintiff's second motion seeks only two of the three documents sought in the first motion.

unsatisfied with Defendants' responses. However, the Court finds that Defendants are correct in that Plaintiff has not complied with the good faith conference requirement. *See* Fed. R. Civ. P. 37(a)(1) ("The motion must include a certification that the movant has in good faith conferred or attempted to confer with the [opposing party]."). Accordingly, Plaintiff's motions (ECF Nos. 36 & 38) are denied at this time.

The parties are ordered to confer in a good faith attempt to resolve the discovery dispute. Following their conference, the parties shall file a joint statement detailing the outcome of the conference or, if no agreement is reached, shall independently notify the Court of the continued disagreement and brief the merits thereof. Such filings shall be made within twenty-one (21) days of the date of this Order.

SO ORDERED, this 2nd day of April, 2015.

/s/ Stephen Hyles
UNITED STATES MAGISTRATE JUDGE