

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

AMTAX HOLDINGS 2001-VV, LLC, ET AL.

CIVIL ACTION

VERSUS

NO. 14-2652

WARREN HOMES, LLC, ET AL.

SECTION "N" (1)

ORDER AND REASONS

Presently before the Court is Plaintiffs' "Motion for Contempt of Court" (Rec. Doc. 39). Having carefully considered the parties' submissions (Rec. Docs. 39, 45, 70 and 72), **IT IS ORDERED** that the motion is **DENIED**. In short, on the showing made, it appears that the alleged violations were, at most, only technical violations of the previously entered Temporary Restraining Order (Rec. Doc. 17) that do not presently require judicial action. In addition, it is not apparent to the Court that the issues raised by the parties' submissions could not have been resolved amicably, or at least narrowed, if the parties and counsel had made good faith efforts to communicate further before taking the actions in question and/or before filing and responding to the instant motion.

Accordingly, in the interest of conserving the resources of both the Court and the parties, **IT IS FURTHER ORDERED**, as follows:

(1) Prior to any payment of additional Partnership Funds by Defendants, the parties are to first confer to determine whether an agreement can be reached regarding the propriety of such payment.

(2) Prior to the filing of any additional motions for contempt (or other enforcement) premised upon the Temporary Restraining Order (Rec. Doc. 17), the complainant parties must first notify opposing counsel in writing of the apparent violation or other matter arguably requiring redress to ascertain whether amicable resolution is readily achievable. If the matter is not promptly resolved, counsel, as well as any necessary parties and/or their representatives, are to meet thereafter, in person, at a mutually agreeable time and place, to confer further relative to resolving the disputed issue(s), either in its entirety or in part, and to exchange any and all relevant documents, including, but not limited to, any such documents contemplated for submission to the Court.

(3) Any additional motions for contempt (or other enforcement) premised upon the Temporary Restraining Order in this matter, as well as responses thereto, must include a certification that the requirements of Paragraph (2) have been satisfied, or explaining the basis for any non-satisfaction.

(4) Requests for relief relative to discovery are to be presented, in the first instance, to the assigned Magistrate Judge.

New Orleans, Louisiana, this 2nd day of February 2015.



KURT D. ENGELHARDT
United States District Judge