

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

SHIRLEY CAVALIER

CIVIL ACTION

VERSUS

NO. 17-260-SDD-EWD

**CARRINGTON MORTGAGE
SERVICES, LLC ET AL.**

NOTICE AND ORDER

Before the Court is a Motion to Compel Plaintiff's Discovery Responses and Brief in Support ("the Motion"), filed by defendant Trans Union, LLC ("Trans Union").¹ The Motion has been referred to the undersigned for disposition.

Federal Rule of Civil Procedure 37(a)(1) provides:

On notice to other parties and all affected persons, a party may move for an order compelling disclosure or discovery. The motion must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure of discovery in an effort to obtain it without court action.

The Motion to Compel does not include a Rule 37 Certificate, nor does Trans Union allege that the parties met and conferred, as required by Rule 37(a)(1), prior to the filing of this Motion.

Accordingly,

IT IS ORDERED that Plaintiff and Trans Union must confer regarding the Motion as required by Federal Rule 37(a)(1).²

IT IS FURTHER ORDERED that Trans Union shall file into the record in this matter a certification for the Motion on or before **Tuesday, December 19, 2017**. The certification shall

¹ R. Doc. 37.

² To the extent counsel have conferred prior to filing the Motion, this Notice and Order requires an additional conference.

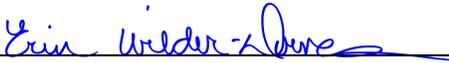
specifically set forth (1) how the conference required by this Notice and Order was scheduled and agreed upon, (2) who participated in the conference, (3) when the conference took place, (4) whether the conference was conducted by phone or in person, (5) the duration of the conference, (6) the specific, itemized topics that were addressed at the conference, and (7) whether any issues were resolved by the parties, and, if so, the terms of the resolution.

IT IS FURTHER ORDERED that if the conference required by this Notice and Order completely resolves the Motion to Compel, Trans Union shall file a Motion to Withdraw the Motion to Compel no later than **December 19, 2017**.

IT IS FURTHER ORDERED that if the conference required by this Notice and Order does not resolve the Motion, Plaintiff must file any memorandum in opposition no later than **December 29, 2017**.

Plaintiff and Trans Union are hereby **NOTIFIED** that the Court will not consider the Motion until the required certification is filed into the record. Failure to timely file the additional certification will result in dismissal of the Motion without further notice. Notwithstanding the fact the parties have sought court intervention, the Court remains confident that an additional conference will enable the parties to resolve many, if not all, of the issues raised in the Motion.

Signed in Baton Rouge, Louisiana, on December 5, 2017.



ERIN WILDER-DOOMES
UNITED STATES MAGISTRATE JUDGE