

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

**PROGRESSIVE HEALTHCARE
SOLUTIONS**

CASE NO. 6:17-CV-01176

VERSUS

UNASSIGNED DISTRICT JUDGE

**UNITED HEALTHCARE
SERVICES**

MAGISTRATE JUDGE HANNA

MEMORANDUM RULING

Pending before the Court is plaintiff's Motion to Compel Answers to Interrogatories {rec. Doc. 20} which is opposed by the defendant. [Rec. Doc. 22]. Both sides seek attorney's fees. The Court rules that all requested relief is DENIED and enters the following orders.

The Court warns these parties at the outset that the tone and tenor of the various e-mail exchanges will not be tolerated. The plaintiff should not have brought this motion without engaging in a proper Rule 37 conference.

The motion to compel is DENIED as premature without prejudice to the plaintiff's right to re-urge the motion once the administrative files are produced and reviewed, and if that does not resolve the plaintiff's objections, and a **proper** Rule 37 conference is unsuccessful, then and only then may a new motion to compel be filed.

Within 5 business days, the plaintiff is ORDERED to review the Proposed Protective Order and provide defense counsel with any suggested changes. If the parties cannot agree on a Stipulated Protective Order, counsel for defendant shall provide a red-line version to the Court for execution without a designation as a “stipulated” protective order within 3 business days.

Once the Protective Order is executed by the parties and/or the Court, IT IS ORDERED that the defendant will provide the administrative files to the plaintiff within 5 business days.

To the extent the defendant considers any material that would be responsive to the plaintiff’s discovery requests privileged, and potentially not discoverable under Rule 26, the defendant is ORDERED to produce a privilege log compliant with Rule 26(b)(5) at the time the administrative files are produced.

Upon the completion of these tasks, counsel are to contact the chambers of the undersigned to schedule a Rule 16 conference and be prepared to discuss a joint discovery plan of work.

THUS DONE in Chambers on this 27th day of April, 2018.



Patrick J. Hanna
United States Magistrate Judge