

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

TARA McCROHAN,

Plaintiff,

v.

UXBRIDGE POLICE ASSOCIATION, et al.

Defendants.

**CIVIL ACTION
NO. 11-40232-TSH**

ORDER

August 9, 2013

Hennessy, M.J.

By Order of Reference dated August 8, 2013, pursuant to 28 U.S.C. § 636(b)(1)(A) (Docket #41), this matter was referred to me for a ruling on Defendants Josiah Morisette¹ and David Bergeron’s (hereinafter “the Defendants”) Motion to Compel the Plaintiff Tara McCrohan’s Responses to the Defendants’ Request for Production of Documents (Docket #37) and Motion for Protective Order (Docket #39).

Pursuant to Local Rule 37.1, “[b]efore filing any discovery motion, including any motion for sanctions or for a protective order, counsel for each of the parties shall confer in good faith to narrow the areas of disagreement to the greatest possible extent.” LR, D. Mass. 37.1(a). Counsel for the moving party is responsible for arranging the conference. Id. If the conference does not resolve the disputed issues or if opposing counsel fails to respond to a request for a discovery conference, the dissatisfied party may file a motion and supporting memorandum. LR, D. Mass. 37.1(b). Such motion “shall include a certificate in the margin of the last page that the

¹ In both motions, Defendant Josiah Morisette is referred to as “Isaiah Morisette.” This appears to be a typographical error.

provisions of [Rule 37.1] have been complied with.” Id. Neither motion contains such a certificate.

Therefore, both the Motion to Compel the Plaintiff Tara McCrohan’s Responses to the Defendants’ Request for Production of Documents (Docket #37) and the Motion for Protective Order (Docket #39) are hereby DENIED WITHOUT PREJUDICE for failure to comply with Local Rule 37.1.

/S/ David H. Hennessy
David H. Hennessy
UNITED STATES MAGISTRATE JUDGE