

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LUIS LOPEZ,)	
)	
Plaintiff,)	
)	
)	
v.)	CIVIL ACTION
)	NO. 12-40078-TSH
CITY OF WORCESTER, et al.)	
Defendants.)	
_____)	

ORDER

September 3, 2013

Hennessy, M.J.

By Order of Reference dated August 26, 2013, pursuant to 28 U.S.C. § 636(b)(1)(A) (Docket #23), this matter was referred to me for a ruling on Defendants’ Motion for Protective Order (Docket #21).

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 provisions of [Rule 37.1] have been complied with.” Id.

The instant motion does not contain such a certificate. Nor does it otherwise comport with the strictures of Rule 37.1. See LR, D. Mass. 37.1(b)(1)-(5).

Therefore, the Motion for Protective Order (Docket #21) is hereby DENIED WITHOUT PREJUDICE for failure to comply with Local Rule 37.1.

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