

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DANIEL L. HUBBEL,)
)
Petitioner,)
)
vs.) Case No. 4:15CV1199 CDP
)
INTERNATIONAL UNION OF)
ELEVATOR CONSTRUCTORS,)
LOCAL 3, AFL-CIO,)
)
Respondent.)

MEMORANDUM AND ORDER

This matter is before me on respondent’s motion for leave to take two depositions and motion for leave to shorten petitioner’s response time to the motion. Given the rapidly approaching hearing date, I will grant respondent’s motion and require the petitioner to respond to the motion by tomorrow. However, the Clerk’s Office has been contacted by Timothy Copeland from Downs, Rachlin & Martin (telephone number 802-258-3070) who represents the National Elevator Bargaining Association and Otis Elevator Company and has expressed an intention to intervene in this matter and be heard on the motion to take depositions. I expect respondent to contact both petitioner’s counsel and movants’ counsel Mr. Copeland in a good faith attempt to resolve this issue and any other anticipated discovery issues, as this is the sort of issue that could and should be solved by counsel without Court intervention. This means talking to each other in

person and/or by telephone, and not merely exchanging e-mails. This requirement remains true for any other “emergency” type motions that any party (or movant) anticipates filing in this case. I expect the parties to talk to each other and try to resolve any scheduling, discovery, or procedural issues that may arise between now and the scheduled preliminary injunction motion. Any motions filed must include a statement that the parties have attempted in good faith to resolve the issue before filing a motion. I will also require respondent to serve this Memorandum and Order on Mr. Copeland by e-mail or facsimile by **5:00 p.m. today** as any motion or response movants anticipate filing regarding the requested depositions must comply with this requirement as well. While the parties are discussing this issue, they should also engage in meaningful settlement discussions in a sincere, good faith effort to resolve this case. Given the nature of these proceedings and the requested relief, it will not serve the interests of the parties, the movants, or the Court to engage in protracted, expensive litigation to resolve a labor dispute that should be resolved through negotiations.

Accordingly,

IT IS HEREBY ORDERED that the motion for leave to shorten response time [#8] is granted, and petitioner (and any movants) should file their response to the motion for leave to take depositions [#8] by no later than **August 13, 2015**.

IT IS FURTHER ORDERED that respondent shall serve a copy of this

Memorandum and Order on Mr. Copeland in the time and manner set out above.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 12th day of August, 2015.