

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMES CODY, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 4:17-CV-2707-AGF
	)	
CITY OF ST. LOUIS,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on the motion of Defendant City of St. Louis in response to Plaintiffs’ motion to compel discovery and request for sanctions. ECF Nos. 40, 45. Defendant requests that the Court deny Plaintiffs’ motion to compel for failure to comply with E.D. Mo. L.R. 3.04(A) and paragraph six of the Court’s Requirements. In the alternative, Defendant moves for an extension of time of 28 days, up to and including October 11, 2018, within which to respond to Plaintiffs’ motion to compel and request for sanctions.

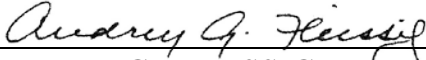
Although Plaintiffs’ memorandum in support of its motion does include multiple email exhibits where Plaintiffs’ counsel requested to schedule meet and confer dates with Defendant’s counsel, the exhibits do not include Defendant’s counsel’s responses to those requests. Also, Local Rule 3.04(A) specifically states that the parties should confer “in person or by telephone” and that the movant’s statement on such conferences should “recite the date, time and manner of such conference, and the names of the individuals participating therein, or shall state with specificity the efforts made to confer with

opposing counsel.” E.D. Mo. L.R. 3.04(A). In Plaintiffs’ motion, they state that “oral discussions (telephonic or in-person) were attempted unsuccessfully numerous times,” but no specific details are provided in compliance with the Local Rule. ECF No. 40 at 6.

Because it appears that Plaintiffs’ counsel has made attempts to meet and confer on the discovery disputes, the Court will not deny Plaintiffs’ motion to compel outright. However, the Court believes that these discovery disputes could be resolved or narrowed by direct, face-to-face discussions attempted in good faith between the parties. Therefore, the parties will be ordered to meet and confer in person on the issues raised in Plaintiffs’ motion to compel and for sanctions. Defendant’s request for an extension of time to respond to Plaintiffs’ motion will be granted. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs and Defendant shall confer face-to-face in good faith, in accordance with Local Rule 3.04, by **October 4, 2018**, in an attempt to resolve or narrow the discovery disputes raised in Plaintiffs’ motion to compel and for sanctions (ECF No. 40).

**IT IS FURTHER ORDERED** that Defendant City of St. Louis’ motion for extension of time to respond (ECF No. 45) is **GRANTED in part and DENIED in part**. Defendant has until **October 11, 2018**, to respond to Plaintiff’s motion to compel and for sanctions. However, Defendant’s Motion is denied in all other respects.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 18th day of September, 2018.