

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LATITUS ROMALE  
MENYWEATHER,

Plaintiff,

vs.

DOSSOU, Officer, Corporal;

Defendant.

**4:17CV3040**

**MEMORANDUM  
AND ORDER**

This matter is before the court on Plaintiff's "Motion for Extension of Time" ([Filing No. 21](#)) and "Motion for Production and Inspection of Documents" ([Filing No. 22](#)).

***I. "Motion for Extension of Time"***

Plaintiff seeks additional time to serve the court and Defendant with his "Motion for Production and Inspection of Documents." The progression order entered in this case required all interrogatories, requests for admission and requests for production or inspection be served by September 22, 2017. ([Filing No. 20](#).) Because Plaintiff filed his "Motion for Production and Inspection of Documents" on the same date as his request for an extension of time, the court will grant Plaintiff's "Motion for Extension of Time." Plaintiff is granted until October 10, 2017, to file his "Motion for Production and Inspection of Documents," which Plaintiff has done and Defendant should have received notice of such filing.

***II. "Motion for Production and Inspection of Documents"***

This court will not facilitate discovery between the parties unless it is called upon to resolve a dispute over which the parties cannot reach an agreement. Pursuant to NECivR [7.1\(i\)](#),

To curtail undue delay in the administration of justice, this court only considers a discovery motion in which the moving party, in the written motion, shows that after personal consultation with opposing parties and sincere attempts to resolve differences, the parties cannot reach an accord. This showing must also state the date, time, and place of the communications and the names of all participating persons. “Personal consultation” means person-to-person conversation, either in person or on the telephone. An exchange of letters, faxes, voice mail messages, or emails is also personal consultation for purposes of this rule upon a showing that person-to-person conversation was attempted by the moving party and thwarted by the nonmoving party.

Plaintiff has not complied with NECivR [7.1\(i\)](#), and his “Motion for Production and Inspection of Documents” is denied without prejudice to reassertion.

IT IS ORDERED that:

1. Plaintiff’s “Motion for Extension of Time” ([Filing No. 21](#)) is granted and Plaintiff is given until October 10, 2017, to file his “Motion for Production and Inspection of Documents.” All other dates set forth in the court’s progression order ([Filing No. 20](#)) are unaffected by this Memorandum and Order.

2. Plaintiff’s “Motion for Production and Inspection of Documents” ([Filing No. 22](#)) is denied without prejudice to reassertion.

Dated this 13th day of October, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge