

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARVIN L. BROWN JR.,	)	
	)	
Plaintiff,	)	8:16CV217
	)	
v.	)	
	)	<b>MEMORANDUM</b>
ROBERT HOUSTON, et al.,	)	<b>AND ORDER</b>
	)	
Defendants.	)	
	)	

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Plaintiff has filed two discovery-related “Objections” in which he objects to Defendants’ failure to provide him with certain previously-requested information and asks Defendants for additional evidentiary information. (Filing Nos. [64](#) & [65](#).) To the extent Plaintiff’s Objections request additional information from Defendants, such requests are untimely under the court’s Progression Order. (Filing No. [53](#).) Plaintiff filed his Objections on October 30, 2017, and the deadline to serve interrogatories was September 15, 2017. (Filing No. [60](#).)

To the extent Plaintiff’s Objections seek to compel Defendants to disclose information previously requested, but not provided, Plaintiff is again untimely, as the deadline to file motions to compel discovery was October 19, 2017 (Filing No. [53](#)). Even if Plaintiff had filed a timely motion to compel discovery, the motion is still insufficient because Plaintiff has failed to certify that he “has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action.” [Fed. R. Civ. P. 37\(a\)\(1\)](#); *see also* [NECivR 7.1\(i\)](#) (court will only consider discovery motion when moving party states in motion that he personally consulted with opposing parties, sincerely attempting to resolve differences, but they were unable to reach an accord, as well as the date, time, and place of communication and persons who participated).

Accordingly,

IT IS ORDERED that Plaintiff's "Objections" (Filing Nos. 64 & 65) are denied.

DATED this 8th day of December, 2017.

BY THE COURT:

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