UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ROBERT JOSEPH McCARTY, Plaintiff, vs. JOHN V. ROOS, et al., Defendants.	)	2:11-cv-001538-JCM-NJK **O R D E R**

Before the Court is Plaintiff Robert Joseph McCarty's Motion for Immediate Specific Limited Discovery (#123). The Plaintiff has requested, pursuant to Fed.R.Civ.P. 26(a)(1)(B), that the Court compel the Defendants to provide the Plaintiff with "all Department of State and Department of Justice Files related to the Plaintiff to include, but not limited to, all copies of responses regarding the Plaintiff to members of Congress, Media, President, Vice President, etc." Motion (#123) (emphasis removed). He has also requested "the most basic information." *Id.*

The Plaintiff is correct that Rule 26 entitles parties to discovery; however, pursuant to Rule 26(d), neither party is required to provide any discovery until after the Rule 26(f) conference occurs. To date, no 26(f) conference has occurred, and therefore this request for discovery will be denied as premature.[1]

The Plaintiff's request is also denied for failure to comply with Fed.R.Civ.P. 37(a)(2)(B), Fed.R.Civ.P. 34, and LR 26-7. Once discovery begins, the parties must meet and confer in good

[1]Under LR 26-1(d), the Fed. R. Civ. P. 26(f) meeting must occur "within thirty (30) days after the first defendant answers or otherwise appears." Then, "[f]ourteen (14) days after the mandatory Fed. R. Civ. P. 26(f) conference, the parties shall submit a stipulated discovery plan and scheduling order." Accordingly, because the Defendants filed a Motion to Dismiss on April 5, 2013, the Rule 26(f) conference should be forthcoming. The Court anticipates a Discovery Plan and Scheduling Order will be filed on or before May 19, 2013.

faith and attempt to resolve their discovery disputes before bringing the matter before the Court. *See* Fed.R.Civ.P. 37(a)(2)(B) and LR 26-7. Finally, requests for production must comply with Fed.R.Civ.P. 34. The Court finds that the Plaintiff's request does not meet these requirements. Accordingly, the Plaintiff's Motion (#123) shall be denied.

CONCLUSION

Based on the foregoing, and good cause appearing therefore,

IT IS HEREBY ORDERED that Plaintiff Robert Joseph McCarty's Motion for Immediate Specific Limited Discovery (#123) is DENIED.

DATED this 18th day of April, 2013

NANCY J. KOPPE
United States Magistrate Judge