

and the plaintiff having failed to comply with the directives;

and the Court therefore striking the plaintiff's submissions for failing to comply with the requirements of the Order dated February 17, 2010;

and the Court noting the plaintiff's representation that he has had "little success" in attempting to meet and confer with other counsel about discovery matters;

and the Court reminding the parties of their obligation to meet and confer in good faith before seeking court-intervention;

and the Court further notifying the parties that the "meet and confer" requirement requires that counsel actually speak with each other and that written exchanges alone will not constitute compliance with the "meet and confer" requirement;

and the Court seeking to ensure that all discovery is completed by the deadline set forth in the scheduling order;

IT IS THEREFORE ON THIS 23rd day of February, 2010

ORDERED that the plaintiff's letters dated February 23, 2010 are struck for failing to comply with the Order dated February 17, 2010;

IT IS FURTHER ORDERED that the resolution of the disputes that are the subject of Defendant Englewood's February 23, 2010 shall be set forth in a separate order;

IT IS FURTHER ORDERED that the parties shall meet and confer in good faith before seeking court-intervention and the "meet and confer" process requires that counsel actually speak with each other. Written exchanges alone will not constitute compliance with the "meet and confer" requirement; and

IT IS FURTHER ORDERED that the plaintiff shall submit a letter that sets forth the

dates that the parties have reserved for conducting depositions in this case.¹

s/Patty Shwartz
UNITED STATES MAGISTRATE JUDGE

¹The terms of the Order dated January 6, 2010 directed that the parties provide dates reserved for depositions and intended that the Court be apprised of the dates that counsel had reserved by February 1, 2010.